

Case 2:09-cv-00058-MCE-DAD Document 36 Filed 01/15/2009 Page 1 of 4

John Doe #5

James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 1 South Sixth Street
 Terre Haute, Indiana 47807-3510
 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 Counsel for All Plaintiffs

Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 101 Parkshore Drive, Suite 100
 Folsom, California 95630
 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 Counsel for All Plaintiffs

* *Pro Hac Vice Application Pending*
 ** *Designated Counsel for Service*

**United States District Court
 Eastern District of California**

ProtectMarriage.com, et al.,

Plaintiffs,

v.

Debra Bowen, et al.,

Defendants.

Case No. 2:09-CV-00058-MCE-DAD

**DECLARATION OF [REDACTED]
 [REDACTED] IN SUPPORT OF
 PLAINTIFFS' MOTION FOR
 PRELIMINARY INJUNCTION**

Date: TBD
 Time: TBD
 Judge England

Decl. of [REDACTED] in Support of Plaintiffs' Motion for Preliminary Injunction

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein are
3 based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of the passage of Proposition 8, my company, **REDACTED** Communications,
6 donated \$**xxx** to ProtectMarriage.com – Yes on 8.

7 4. On November **xx**, 2008, I received an e-mail suggesting that my company's image would be
8 damaged as a result of supporting Proposition 8. A true and correct copy of the text of that e-mail is
9 attached as Exhibit A.

10 5. I feel threatened and uneasy knowing that my company and I could be targeted simply for
11 participating in the democratic process.

12 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND
13 CORRECT.

SIGNATURE REDACTED

14 Executed on **REDACTED**

REDACTED

PROOF OF SERVICE

I, Timothy D. Chandler, am over the age of 18 years and not a party to the within action. My business address is 101 Parkshore Drive, Suite 100; Folsom, California 95630.

On January 15, 2009, I electronically filed the foregoing document described as Declaration of John Doe #5 in Support of Plaintiffs' Motion for Preliminary Injunction, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery Paul Morazzini
Zackery.Morazzini@doj.ca.gov

Attorney for Defendants Debra Bowen and Edmund C. Brown, Jr.

And, pursuant to Rule 5-135(f), on January 15, 2009, I served the foregoing document described as Declaration of John Doe #5 in Support of Plaintiffs' Motion for Preliminary Injunction by placing true and correct copies of the documents in sealed envelopes with postage thereon fully prepaid, in the United States mail at Folsom, California, addressed to the following non-CM/ECF participants:

Dean C. Logan
Office of the Registrar-Recorder
12400 Imperial Highway
Norwalk, California 90650

Department of Elections, City and County of San Francisco
c/o Office of the Mayor Gavin Newsom
1 Dr. Carlton B. Goodlett Place
San Francisco, California 94102

Jan Scully
Office of the District Attorney
901 G Street
Sacramento, California 95814

Eileen Teichert
Office of the City Attorney
New City Hall Building
915 I Street, 4th Floor
Sacramento, California 95814

Ross Johnson
California Fair Political Practices Commission
428 J. Street, Suite 620
Sacramento, California 95814

Decl. of John Doe #5 in Support of Plaintiffs' Motion for Preliminary Injunction

Case 2:09-cv-00058-MCE-DAD Document 36 Filed 01/15/2009 Page 4 of 4

1 Timothy Hodson
2 California Fair Political Practices Commission
3 428 J. Street, Suite 620
4 Sacramento, California 95814

5 Eugene Huguenin, Jr.
6 California Fair Political Practices Commission
7 428 J. Street, Suite 620
8 Sacramento, California 95814

9 Robert Leidigh
10 California Fair Political Practices Commission
11 428 J. Street, Suite 620
12 Sacramento, California 95814

13 and

14 Ray Remy
15 California Fair Political Practices Commission
16 428 J. Street, Suite 620
17 Sacramento, California 95814

18 *Defendants*

19 I declare under penalty of perjury under the laws of the State of California that the above is true
20 and correct. Executed on January 15, 2009 at Folsom, California.

21 s/Timothy D. Chandler
22 Timothy D. Chandler (CA Bar No. 234325)
23 Attorney for Plaintiff
24
25
26
27
28

Decl. of John Doe #5 in Support of Plaintiffs' Motion for Preliminary Injunction

Exhibit A

REDACTED

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----- Original Message -----

From: chili.basalmic@yahoo.com

To: REDACTED

Sent: Saturday, November 15, 2008 9:11 PM

Subject: Disastrous PR Move? Re: REDACTED Donation to Yes on Prop 8.

It will be interesting to see if your firms' decision to support the 'Yes on Proposition 8' campaign will prove true the axiom - any PR is good PR.

I doubt it.

Case 2:09-cv-00058-MCE-DAD Document 37 Filed 01/15/2009 Page 1 of 4

John Doe #6

James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
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 Counsel for All Plaintiffs

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 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 Counsel for All Plaintiffs

* *Pro Hac Vice Application Pending*
 ** *Designated Counsel for Service*

**United States District Court
 Eastern District of California**

ProtectMarriage.com, et al.,

Plaintiffs,

v.

Debra Bowen, et al.,

Defendants.

Case No. 2:09-CV-00058-MCE-DAD

**DECLARATION OF REDACTED
 IN SUPPORT OF PLAINTIFFS'
 MOTION FOR PRELIMINARY
 INJUNCTION**

Date: TBD
 Time: TBD
 Judge England

Decl. of REDACTED in Support of Plaintiffs' Motion for Preliminary Injunction

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein are
3 based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of the passage of Proposition 8, I donated **\$XX,XXX** to ProtectMarriage.com – Yes
6 on 8.

7 4. I did not engage in any other public support of Proposition 8, such as putting up a yard-side or
8 placing a bumper sticker on my vehicle. The only way I could be publicly identified as supporting
9 Proposition 8 was through the public disclosure of my personal information as a result of my donations
10 to ProtectMarriage.com – Yes on 8.

11 5. My name and the amount that I donated to ProtectMarriage.com – Yes on 8 were listed on the
12 website www.californiansagainsthate.com.

13 6. On or about November 28, 2008, I received a postcard that insulted me personally for
14 supporting Proposition 8. A true and correct copy is attached as Exhibit A.

15 7. I am outraged that my private financial support of ProtectMarriage.com and Proposition 8 has
16 subjected me to such a personal attack.

17 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND
18 CORRECT.

19
20 Executed on: **REDACTED**

SIGNATURE REDACTED

REDACTED

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Decl. of **REDACTED** in Support of Plaintiffs' Motion for Preliminary Injunction

PROOF OF SERVICE

I, Timothy D. Chandler, am over the age of 18 years and not a party to the within action. My business address is 101 Parkshore Drive, Suite 100; Folsom, California 95630.

On January 15, 2009, I electronically filed the foregoing document described as Declaration of John Doe #6 in Support of Plaintiffs' Motion for Preliminary Injunction, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery Paul Morazzini
Zackery.Morazzini@doj.ca.gov

Attorney for Defendants Debra Bowen and Edmund C. Brown, Jr.

And, pursuant to Rule 5-135(f), on January 15, 2009, I served the foregoing document described as Declaration of John Doe #6 in Support of Plaintiffs' Motion for Preliminary Injunction by placing true and correct copies of the documents in sealed envelopes with postage thereon fully prepaid, in the United States mail at Folsom, California, addressed to the following non-CM/ECF participants:

Dean C. Logan
Office of the Registrar-Recorder
12400 Imperial Highway
Norwalk, California 90650

Department of Elections, City and County of San Francisco
c/o Office of the Mayor Gavin Newsom
1 Dr. Carlton B. Goodlett Place
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Office of the City Attorney
New City Hall Building
915 I Street, 4th Floor
Sacramento, California 95814

Ross Johnson
California Fair Political Practices Commission
428 J. Street, Suite 620
Sacramento, California 95814

Decl. of John Doe #6 in Support of Plaintiffs' Motion for Preliminary Injunction

Case 2:09-cv-00058-MCE-DAD Document 37 Filed 01/15/2009 Page 4 of 4

Timothy Hodson
California Fair Political Practices Commission
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Sacramento, California 95814

Eugene Huguenin, Jr.
California Fair Political Practices Commission
428 J. Street, Suite 620
Sacramento, California 95814

Robert Leidigh
California Fair Political Practices Commission
428 J. Street, Suite 620
Sacramento, California 95814

and

Ray Remy
California Fair Political Practices Commission
428 J. Street, Suite 620
Sacramento, California 95814

Defendants

I declare under penalty of perjury under the laws of the State of California that the above is true
and correct. Executed on January 15, 2009 at Folsom, California.

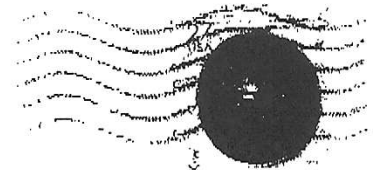
s/Timothy D. Chandler
Timothy D. Chandler (CA Bar No. 234325)
Attorney for Plaintiff

Exhibit A

I'm a bank executive and my partner is an IT manager. We are gay, and we both served in the military during the Vietnam War. We got married recently, after being together for 30 years, but that's in limbo now thanks to the Great Religious War of 2008 in which the sanctity of marriage was preserved. What is important, in addition to marriage being saved, is that folks like us are relegated to permanent second class citizenship, so that we don't have the same hospital visitation rights as you, or the ability to file a joint tax return, or the pleasure and security that comes with knowing your committed relationship is recognized by the state. We deserve to be adrift without rights for the rest of our lives. Meanwhile, we will continue to pay our taxes to support your school systems for your children.

We just hope you are proud of your participation in this Great Crusade. Just think of how you have contributed to the economy with the money you donated! It doesn't matter that there are thousands of worthwhile charities that could have used those funds to feed starving people, clothe the homeless, and find cures for cancer and other life-threatening diseases. You must be so proud!

ALAMO, CA 94507



ALAMO, CA 94507

Case 2:09-cv-00058-MCE-DAD Document 38 Filed 01/15/2009 Page 1 of 5

John Doe #7

James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 1 South Sixth Street
 Terre Haute, Indiana 47807-3510
 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 Counsel for All Plaintiffs

Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 101 Parkshore Drive, Suite 100
 Folsom, California 95630
 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 Counsel for All Plaintiffs

* *Pro Hac Vice Application Pending*
 ** *Designated Counsel for Service*

**United States District Court
 Eastern District of California**

ProtectMarriage.com, et al.,

Plaintiffs,

v.

Debra Bowen, et al.,

Defendants.

Case No. 2:09-CV-00058-MCE-DAD

**DECLARATION OF REDACTED
 IN SUPPORT OF
 PLAINTIFFS' MOTION FOR
 PRELIMINARY INJUNCTION**

Date: TBD
 Time: TBD
 Judge England

Decl. of REDACTED in Support of Plaintiffs' Motion for Preliminary Injunction

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein are
3 based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. I am the senior pastor of Calvary **REDACTED**.

6 4. In support of the passage of Proposition 8, I donated \$XXX to ProtectMarriage.com – Yes on 8.

7 5. In support of the passage of Proposition 8, my family displayed bumper stickers on our cars
8 and put yard signs in our front yard.

9 6. During the petition phase of the campaign in support of Proposition 8, Calvary **REDACTED**

10 **REDACTED** served as a distribution center for petitions.

11 7. Calvary **REDACTED** also distributed yard signs and bumper stickers to church members
12 and members of the community where the church is located.

13 8. Members of Calvary **REDACTED** also telephoned around 275 people on behalf of
14 ProtectMarriage.com – Yes on 8.

15 9. Shortly after the petition drive ended, a woman called the church's number and asked if we
16 were a distribution center. I took this phone call.

17 10. After I told the woman that we had already completed collecting the petitions, she asked me
18 if I was going to sign the petition against divorce. I replied that I did not know what the woman was
19 talking about. The woman then told me that if I was against gay marriage, I should be equally against
20 divorce.

21 11. After I realized that this was an opposition call, I told the woman that I was not sure that I
22 understood her, thanked her for calling, and hung up the telephone.

23 12. One of our family cars had two bumper stickers supporting Proposition 8 on it.

24 13. While this car was parked in the parking garage at my wife's place of employment, the
25 bumper stickers were ripped off of this car on two occasions.

26 14. The first time the bumper stickers were ripped off of the car car, someone placed an anti-
27 Proposition 8 note on the windshield. A true and correct copy of the note is attached as Exhibit A.

28
Decl. of **REDACTED** in Support of Plaintiffs' Motion for Preliminary Injunction

Case 2:09-cv-00058-MCE-DAD Document 38 Filed 01/15/2009 Page 3 of 5

John Doe #7

1 15. After the bumper stickers were ripped off of the car a second time, a third set of bumper
2 stickers was placed inside the windows with tape, so that they could not be ripped off again.

3 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND
4 CORRECT.

5
6 Executed on:

REDACTED

SIGNATURE REDACTE

REDACTE

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Decl. of REDACTE in Support of Plaintiffs' Motion for Preliminary Injunction

PROOF OF SERVICE

I, Timothy D. Chandler, am over the age of 18 years and not a party to the within action. My business address is 101 Parkshore Drive, Suite 100; Folsom, California 95630.

On January 15, 2009, I electronically filed the foregoing document described as Declaration of John Doe #7 in Support of Plaintiffs' Motion for Preliminary Injunction, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery Paul Morazzini
Zackery.Morazzini@doj.ca.gov

Attorney for Defendants Debra Bowen and Edmund C. Brown, Jr.

And, pursuant to Rule 5-135(f), on January 15, 2009, I served the foregoing document described as Declaration of John Doe #7 in Support of Plaintiffs' Motion for Preliminary Injunction by placing true and correct copies of the documents in sealed envelopes with postage thereon fully prepaid, in the United States mail at Folsom, California, addressed to the following non-CM/ECF participants:

Dean C. Logan
Office of the Registrar-Recorder
12400 Imperial Highway
Norwalk, California 90650

Department of Elections, City and County of San Francisco
c/o Office of the Mayor Gavin Newsom
1 Dr. Carlton B. Goodlett Place
San Francisco, California 94102

Jan Scully
Office of the District Attorney
901 G Street
Sacramento, California 95814

Eileen Teichert
Office of the City Attorney
New City Hall Building
915 I Street, 4th Floor
Sacramento, California 95814

Ross Johnson
California Fair Political Practices Commission
428 J. Street, Suite 620
Sacramento, California 95814

Decl. of John Doe #7 in Support of Plaintiffs' Motion for Preliminary Injunction

Case 2:09-cv-00058-MCE-DAD Document 38 Filed 01/15/2009 Page 5 of 5

Timothy Hodson
California Fair Political Practices Commission
428 J. Street, Suite 620
Sacramento, California 95814

Eugene Huguenin, Jr.
California Fair Political Practices Commission
428 J. Street, Suite 620
Sacramento, California 95814

Robert Leidigh
California Fair Political Practices Commission
428 J. Street, Suite 620
Sacramento, California 95814

and

Ray Remy
California Fair Political Practices Commission
428 J. Street, Suite 620
Sacramento, California 95814

Defendants

I declare under penalty of perjury under the laws of the State of California that the above is true
and correct. Executed on January 15, 2009 at Folsom, California.

s/Timothy D. Chandler
Timothy D. Chandler (CA Bar No. 234325)
Attorney for Plaintiff

Exhibit A

Why would you want to deprive others of fundamental human rights?
What if a close friend, family member or co-worker was gay and wanted
to get married? Wouldn't you want to support the love they have for
their partner and want them to have the same rights as you and others?
Please re-think your position. There are so many more important issues
in this world that need our attention rather than gay marriage. We need
to learn tolerance, acceptance and love of each other.

PLEASE VOTE NO ON PROP. 8

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John Doe #8

James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 Scott F. Bieniek (Ill. State Bar No. 6295901)*
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 1 South Sixth Street
 Terre Haute, Indiana 47807-3510
 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 Counsel for All Plaintiffs

Timothy D. Chandler (Cal. State Bar No. 234325)
 ALLIANCE DEFENSE FUND
 101 Parkshore Drive, Suite 100
 Folsom, California 95630
 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 Counsel for All Plaintiffs

* *Pro Hac Vice Application Pending*
 ** *Designated Counsel for Service*

**United States District Court
 Eastern District of California**

ProtectMarriage.com, et al.,

Plaintiffs,

v.

Debra Bowen, et al.,

Defendants.

Case No. 2:09-CV-00058-MCE-DAD

**DECLARATION OF REDACTED
 IN SUPPORT OF PLAINTIFFS'
 MOTION FOR PRELIMINARY
 INJUNCTION**

Date: TBD
 Time: TBD
 Judge England

Decl. of REDACTED in Support of Plaintiffs' Motion for Preliminary Injunction

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein are
3 based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of the passage of Proposition 8, I donated \$**XXXX** to ProtectMarriage.com.

6 4. In support of the passage of Proposition 8, I also displayed a bumper sticker on my car and
7 placed a yard sign in my front yard.

8 5. My yard sign was stolen and destroyed twice.

9 6. In support of the passage of Proposition 8, I also attended numerous rallies, three press
10 conferences, and spoke at a number of churches in the Los Angeles, Orange County, and San Diego
11 areas.

12 7. I also participated on panel discussions at **REDACTED**, **REDACTED** and **REDACTED**
13 **REDACTED** High School involving the issue of same-sex marriage, as both a supporter of Proposition 8 and
14 as a **REDACTED**.

15 8. I attended an election night gathering at a hotel in **REDACTED** with other supporters of Proposition
16 8. At this election night gathering, I photographed. A photograph of me at this event appeared in the
17 **REDACTED**, and may have appeared in other
18 publications on November **X**, 2008. A true and correct copy of the photograph that appeared in these
19 papers is attached as Exhibit A.

20 9. On November **X**, 2008, the day that my photograph appeared in various newspapers, I began
21 to receive harassing letters, e-mails, and at least one phone call at my workplace, because of my support
22 of Proposition 8. I have since deleted most of these hateful e-mails but a true and correct copy of an e-
23 mail that I did save is attached as Exhibit B.

24 10. The e-mails were very upsetting to me. Because of this, my boss began to preview my e-
25 mails before letting me view them.

26 11. I also received many harassing messages on my MySpace and Facebook accounts because of
27 my support of Proposition 8.
28

Decl. of **REDACTED** in Support of Plaintiffs' Motion for Preliminary Injunction

12. As a result of these incidents, I have had to ensure my personal contact information is no longer available to the public in any manner. Thus, my personal contact information is not even available on the church bulletin of the church where I am employed.

13. Further, I sought and received a document from the [REDACTED] Police Department stating that my home is on private property, so that if anyone tries to picket my home, they will be considered trespassers and can be removed.

14. I believe that supporting Proposition 8 was the right thing to do, but I will be hesitant about supporting similar causes in the future due to my recent experiences.

15. Additionally, I am less likely to donate to a cause similar to Proposition 8 in the future because of my recent experiences.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

SIGNATURE REDACTE

Executed on: [REDACTED]

[REDACTED]

PROOF OF SERVICE

I, Timothy D. Chandler, am over the age of 18 years and not a party to the within action. My business address is 101 Parkshore Drive, Suite 100; Folsom, California 95630.

On January 15, 2009, I electronically filed the foregoing document described as Declaration of John Doe #8 in Support of Plaintiffs' Motion for Preliminary Injunction, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery Paul Morazzini
Zackery.Morazzini@doj.ca.gov

Attorney for Defendants Debra Bowen and Edmund C. Brown, Jr.

And, pursuant to Rule 5-135(f), on January 15, 2009, I served the foregoing document described as Declaration of John Doe #8 in Support of Plaintiffs' Motion for Preliminary Injunction by placing true and correct copies of the documents in sealed envelopes with postage thereon fully prepaid, in the United States mail at Folsom, California, addressed to the following non-CM/ECF participants:

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Ross Johnson
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Decl. of John Doe #8 in Support of Plaintiffs' Motion for Preliminary Injunction

Case 2:09-cv-00058-MCE-DAD Document 39 Filed 01/15/2009 Page 5 of 5

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Sacramento, California 95814

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California Fair Political Practices Commission
428 J. Street, Suite 620
Sacramento, California 95814

and

Ray Remy
California Fair Political Practices Commission
428 J. Street, Suite 620
Sacramento, California 95814

Defendants

I declare under penalty of perjury under the laws of the State of California that the above is true
and correct. Executed on January 15, 2009 at Folsom, California.

s/Timothy D. Chandler
Timothy D. Chandler (CA Bar No. 234325)
Attorney for Plaintiff

Exhibit A

Photograph Redacted



Exhibit B

From: Stacie Pook [mailto:chocandcheese@live.co.uk]
Sent: Friday, November 07, 2008 1:33 PM
To: REDACTED;
Subject: Dear Bigots

Jesus doesn't love you!
He will punish you in hell
for voting to deny a
minority the same equal
rights the rest of us
have. You're as bad as
the racist white people
who used to enjoy
banning black people the
same rights as them.
The rest of the world is
disgusted by your

actions.

Best start rethinking your
position NOW!

Case 2:09-cv-00058-MCE-DAD Document 40 Filed 01/15/2009 Page 1 of 5

John Doe #9

James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 Scott F. Bieniek (Ill. State Bar No. 6295901)*
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Counsel for All Plaintiffs

**United States District Court
 Eastern District of California**

ProtectMarriage.com, et al.,

Plaintiffs,

v.

Debra Bowen, et al.,

Defendants.

Case No. 2:09-CV-00058-MCE-DAD

**DECLARATION OF REDACTED
 IN SUPPORT OF
 PLAINTIFFS' MOTION FOR
 PRELIMINARY INJUNCTION**

Date: TBD
 Time: TBD
 Judge England

Decl. of REDACTED in Support of Plaintiffs' Motion for Preliminary Injunction

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein are
3 based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. On November **X**, 2008, I attended an election night gathering at a hotel in **REDACTED**, California
6 for supporters of Proposition 8.

7 4. On November **X**, 2008, a photograph of me at this election night gathering appeared in the **REDACTED**
8 **REDACTED**, and may have appeared in other
9 publications. A true and correct copy of the photograph that appeared in these papers is attached as
10 Exhibit A.

11 5. After the publication of this picture, I began to receive harassing messages on my MySpace
12 and Facebook accounts. Many of these messages contained profanity, and one threatened me with
13 assault.

14 6. When I arrived home on the evening of November **X**, 2008, there was a harassing message on
15 my answering machine. The message was from a man, who stated in a mocking tone that the people in
16 the picture with me were "Nazis" and against human rights. He also said, "I certainly hope that
17 someday somebody takes away something from you and then you'll realize what a fucking bitch you
18 are."

19 7. On November **X**, 2008, I received several harassing e-mails and phone calls at work because
20 of my support of Proposition 8. Some of these messages stated that the authors or callers knew where I
21 worked and the authors or callers were going to attempt to have me fired from my job. One caller knew
22 my actual job position as it was listed online. Like the message I received on my home answering
23 machine, the tone of these messages was mocking.

24 8. Because of the photograph of me at the election night gathering, other departments and
25 employees at my workplace received a harassing e-mail that stated that I "come from a long line of
26 bigots and racists."

27
28
Decl. of **REDACTED** in Support of Plaintiffs' Motion for Preliminary Injunction

1 9. On November X, 2008, because I was concerned for my safety after receiving the e-mails and
2 phone calls stating that the authors and callers knew where I worked, I filed a police report with the
3 REDACTED Police Department detailing the incidents that are documented here.

4 10. On November X, 2008, I also began working with the security department at my workplace
5 to ensure my safety while at work.

6 11. As a result of this harassment, I have had to change my home phone number.

7 12. Because of these experiences, I would not donate to or publicly support a similar cause in the
8 future without thinking carefully about the possible consequences of my donation and/or support.

9 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND
10 CORRECT.

11 Executed on: REDACTED

SIGNATURE REDACTED

REDACTED

PROOF OF SERVICE

I, Timothy D. Chandler, am over the age of 18 years and not a party to the within action. My business address is 101 Parkshore Drive, Suite 100; Folsom, California 95630.

On January 15, 2009, I electronically filed the foregoing document described as Declaration of John Doe #9 in Support of Plaintiffs' Motion for Preliminary Injunction, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery Paul Morazzini
Zackery.Morazzini@doj.ca.gov

Attorney for Defendants Debra Bowen and Edmund C. Brown, Jr.

And, pursuant to Rule 5-135(f), on January 15, 2009, I served the foregoing document described as Declaration of John Doe #9 in Support of Plaintiffs' Motion for Preliminary Injunction by placing true and correct copies of the documents in sealed envelopes with postage thereon fully prepaid, in the United States mail at Folsom, California, addressed to the following non-CM/ECF participants:

Dean C. Logan
Office of the Registrar-Recorder
12400 Imperial Highway
Norwalk, California 90650

Department of Elections, City and County of San Francisco
c/o Office of the Mayor Gavin Newsom
1 Dr. Carlton B. Goodlett Place
San Francisco, California 94102

Jan Scully
Office of the District Attorney
901 G Street
Sacramento, California 95814

Eileen Teichert
Office of the City Attorney
New City Hall Building
915 I Street, 4th Floor
Sacramento, California 95814

Ross Johnson
California Fair Political Practices Commission
428 J. Street, Suite 620
Sacramento, California 95814

Decl. of John Doe #9 in Support of Plaintiffs' Motion for Preliminary Injunction

Case 2:09-cv-00058-MCE-DAD Document 40 Filed 01/15/2009 Page 5 of 5

Timothy Hodson
California Fair Political Practices Commission
428 J. Street, Suite 620
Sacramento, California 95814

Eugene Huguenin, Jr.
California Fair Political Practices Commission
428 J. Street, Suite 620
Sacramento, California 95814

Robert Leidigh
California Fair Political Practices Commission
428 J. Street, Suite 620
Sacramento, California 95814

and

Ray Remy
California Fair Political Practices Commission
428 J. Street, Suite 620
Sacramento, California 95814

Defendants

I declare under penalty of perjury under the laws of the State of California that the above is true
and correct. Executed on January 15, 2009 at Folsom, California.

s/Timothy D. Chandler
Timothy D. Chandler (CA Bar No. 234325)
Attorney for Plaintiff

Exhibit A

PHOTOGRAPH REDACTED

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John Doe #3

James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 1 South Sixth Street
 Terre Haute, Indiana 47807-3510
 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 Counsel for All Plaintiffs

Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 101 Parkshore Drive, Suite 100
 Folsom, California 95630
 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 Counsel for All Plaintiffs

* *Pro Hac Vice Application Pending*
 ** Designated Counsel for Service

**United States District Court
 Eastern District of California**

ProtectMarriage.com, et al.,

Plaintiffs,

v.

Debra Bowen, et al.,

Defendants.

Case No. 2:09-CV-00058-MCE-DAD

**DECLARATION OF REDACTED
 IN SUPPORT OF PLAINTIFFS'
 MOTION FOR PRELIMINARY
 INJUNCTION**

Date: TBD
 Time: TBD
 Judge England

Decl. of REDACTED in Support of Plaintiffs' Motion for Preliminary Injunction

1 I, REDACTE, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein are
3 based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. I am the pastor of REDACTE Lutheran Church in REDACTE, California.

6 4. Prior to the passage of Proposition 8, I stated to my congregation that the Bible supports
7 marriage between one man and one woman, and that the members of my congregation should vote
8 accordingly.

9 5. Prior to the passage of Proposition 8, an unknown person placed a "Yes on 8" yard sign on the
10 church property, which remained standing on the property until sometime on November X, 2008 or
11 November X, 2008.

12 6. Sometime between 10:00 p.m. on November X, 2008 and 8:00 a.m. on November X, 2008, the
13 "Yes on 8" yard sign that had been placed on the church property and a heavy object, such as a rock,
14 were used to break a large window of our church building. Pictures of the broken window and the "Yes
15 on 8" sign are attached as Exhibit A. These pictures are a true and accurate representation of the broken
16 window and "Yes on 8" sign as I discovered them on November X, 2008.

17 7. Our denominational newspaper of the Lutheran Church, Missouri Synod, published a story
18 about the incident, which is attached as Exhibit B. This account of the events is a true and accurate
19 representation of the events that occurred.

20 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND
21 CORRECT.

22 Executed on: REDACTE

Signature Redacte
REDACTE

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Decl. of REDACTE in Support of Plaintiffs' Motion for Preliminary Injunction

Exhibit A



Exhibit 9, Page 129



Exhibit 9, Page 130



Exhibit 9, Page 131



Exhibit 9, Page 132

Exhibit B



Vandals hit LCMS church

While the marriage amendment passed in California with 52 percent approval, those opposing it made their views known even before the votes were counted.

A window was broken at REDACTED Lutheran Church, REDACTED, Calif., sometime between 10 p.m. on the eve of the election and 8 a.m. on REDACTED.



Michael Hayes

An office window at REDACTED Lutheran Church, REDACTED Calif., was broken by vandals who threw a "Yes on 8" sign and another object at the window either right before — or on — REDACTED

Rev. REDACTED, pastor at REDACTED, told *Reporter* that someone used a "Yes on 8" sign along with another object to break an office window. The sign had been on a street corner near the church.

"Ironically, these signs were all over the city of REDACTED and the perpetrator would not have known whether we put the sign on the corner or someone else," Hayes wrote in an e-mail.

REDACTED President REDACTED found it "disturbing" to see the public protests following the passage of Proposition 8. "Our electoral process allows the citizens to speak and then expects acceptance of the vote of the people," REDACTED said. "I am especially disturbed that one of the churches in the REDACTED was the victim of vandalism that may be related to the election."

The American Civil Liberties Union, Lambda Legal, and the National Center for Lesbian Rights have asked the California Supreme Court to invalidate Proposition 8. According to the Associated Press, gay-rights groups said they may ask California voters to overturn the ban on same-sex marriage if these legal challenges are unsuccessful.

Organized protests against the passage of the amendments were held in cities in many states over the Nov. 15-16 weekend, including Florida, where the amendment received 62 percent approval, and Arizona, where 55 percent of voters gave approval.

Posted Nov. XX, 2008

[Return to Top](#)

Printed from: REDACTED
Printed on: REDACTED

Exhibit 9-14

Evidence of Record Previously Submitted
—Re-filed for the Court’s Convenience—

Dkt. 4-14

(Exhibit 13 to Declaration of Scott F. Bieniek in Support
of Plaintiffs’ Motion for a TRO and Preliminary
Injunction)

Exhibit in Support of Pls.’ Response to
Def’s Motion for Summ. J.
(Case No. 3:09-cv-05456-BHS)

BOPP, COLESON & BOSTROM
1 South Sixth Street
Terre Haute, Indiana 47807-3510
(812) 232-2434

John Doe #10

Case 2:09-cv-00058-MCE-DAD Document 113 Filed 06/03/2009 Page 1 of 3

James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 Scott F. Bieniek (Ill. State Bar No. 6295901)*
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 Counsel for All Plaintiffs

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 Facsimile: (916) 932-2851
 Counsel for All Plaintiffs

* *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

**United States District Court
 Eastern District of California
 Sacramento Division**

<p>ProtectMarriage.com, et al.,</p> <p><i>Plaintiffs,</i></p> <p>v.</p> <p>Debra Bowen, et al.,</p> <p><i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF [REDACTED] IN SUPPORT OF PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
--	--

Declaration of [REDACTED] in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of Connecticut over 18 years of age, and my statements
3 herein are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I made several donations totaling \$**XXXX**, to the National
6 Organization for Marriage California - Yes on 8, sponsored by National Organization for
7 Marriage.

8 4. I did not support Proposition 8 in any other way, except by talking to acquaintances.

9 5. On February 2, 2009, I received an email that referenced one of my donations and
10 called me a "rotten" person. A true and correct copy of the text of this email is attached as
11 Exhibit A.

12 6. My husband responded to this email, and the person who wrote the original email
13 replied to tell him that she plans to contact all of the parents in the school where I work. My
14 husband told me this, and I find the effect of this to be chilling and very upsetting.

15 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
16 AND CORRECT.

17 Executed on: **REDACTED** **REDACTED**
18 **REDACTED**

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28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #10 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

Case 2:09-cv-00058-MCE-DAD Document 113-2 Filed 06/03/2009 Page 1 of 2 **John Doe #10**

EXHIBIT A

John Doe #10

Case 2:09-cv-00058-MCE-DAD Document 113-2 Filed 06/03/2009 Page 2 of 2

From: Cecil Firefox [cecilfirefox@hotmail.com]

Sent: Monday, February 02, 2009 4:38 PM

To: REDACTED

Subject: You are a terrible person REDACTED.

I have seen your XXXX contribution to hate, bigotry, and discrimination. This information is all public now and I felt like taking a moment of my day to tell rotten people just what I think of them. The notion that someones marriage is going to effect you is a downright lie. Sending money to take away peoples rights, the right to hospital visitation, the right to social security, survivor benefits, to sue for wrongful death, to be able to be considered someones next of kin is unforgivable.

What you did was shameful, rotten, and history will live to tell the tale of a nation that treated people as less then who they are.

We will defeat you.

John Doe #11

Case 2:09-cv-00058-MCE-DAD Document 114 Filed 06/03/2009 Page 1 of 3

James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 Scott F. Bieniek (Ill. State Bar No. 6295901)*
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 Counsel for All Plaintiffs

Benjamin W. Bull (Ariz. State Bar No. 009940)*
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 Counsel for All Plaintiffs

Timothy D. Chandler (Cal. State Bar No. 234325)**
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 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 Counsel for All Plaintiffs

* *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

**United States District Court
 Eastern District of California
 Sacramento Division**

<p>ProtectMarriage.com, et al.,</p> <p><i>Plaintiffs,</i></p> <p>v.</p> <p>Debra Bowen, et al.,</p> <p><i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF [REDACTED] IN SUPPORT OF PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
--	--

Declaration of [REDACTED] in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I placed a "Yes on 8" sign on my lawn, on a quiet
6 residential street. In support of Proposition 8, I also placed a bumper sticker on my car.

7 4. One night, I had my car parked in the street in front of my house. Someone smashed
8 the back window of my car in, and I had to replace the window. Because of this, I could not
9 work for two days, and I had to pay the insurance deductible to have the window replaced.
10 Moreover, I could not use my car for a week, because the car is older and a replacement
11 windshield had to be shipped in. I am a senior citizen on a small income, and this incident was a
12 financial setback for me. I believe that this incident was as a result of my support for Proposition
13 8.

14 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
15 AND CORRECT.

16 Executed on: **REDACTED** **REDACTED**
17 **REDACTED**

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28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #11 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

John Doe #12

Case 2:09-cv-00058-MCE-DAD Document 115 Filed 06/03/2009 Page 1 of 3

James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 Scott F. Bieniek (Ill. State Bar No. 6295901)*
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 1 South Sixth Street
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 Counsel for All Plaintiffs

Benjamin W. Bull (Ariz. State Bar No. 009940)*
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 15100 North 90th Street
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 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 Counsel for All Plaintiffs

Timothy D. Chandler (Cal. State Bar No. 234325)**
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 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 Counsel for All Plaintiffs

* *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

**United States District Court
 Eastern District of California
 Sacramento Division**

<p>ProtectMarriage.com, et al.,</p> <p><i>Plaintiffs,</i></p> <p>v.</p> <p>Debra Bowen, et al.,</p> <p><i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF [REDACTED] IN SUPPORT OF PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
--	--

Declaration of [REDACTED] in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, REDACTED, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I made a donation in support of Proposition 8.

6 4. In support of Proposition 8, I participated in a peaceful Proposition 8 rally in front of
7 the REDACTED in downtown San Diego. I also attended a REDACTED meeting
8 where five ministers spoke in support of Proposition 8.

9 4. In support of Proposition 8, I also had a "One Man, One Woman" bumper sticker on
10 my car. While I was in a grocery store, someone keyed my car and let the air out of the tires of
11 my car.

12 5. After this incident, I felt compelled to remove the bumper sticker, because I was
13 intimidated and worried that something worse would happen if I kept the bumper sticker on my
14 car.

15 6. In support of Proposition 8, I also had a "Prop. 8 = Religious Freedom" sign on the
16 balcony of my home. About a week after the November 2008 election, my entire staircase
17 leading downstairs was covered in urine, and there was a puddle of urine at the bottom of the
18 stairs.

19 7. In the future, I would support a cause similar to Proposition 8 in public, and I would
20 support my church in anything promoting a similar cause. However, I am not sure that I would
21 support a similar cause at home, because I was targeted at my home for harassment. I would only
22 place a bumper sticker on my car after considering its wording.

23 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
24 AND CORRECT.

25 Executed on: REDACTED REDACTED
26 REDACTED

27 Declaration of REDACTED in
28 Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #12 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

John Doe #13

Case 2:09-cv-00058-MCE-DAD Document 116 Filed 06/03/2009 Page 1 of 4

James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 Scott F. Bieniek (Ill. State Bar No. 6295901)*
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 Facsimile: (916) 932-2851
 Counsel for All Plaintiffs

* *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

**United States District Court
 Eastern District of California
 Sacramento Division**

<p>ProtectMarriage.com, et al., <i>Plaintiffs,</i> v. Debra Bowen, et al., <i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD DECLARATION OF [REDACTED] IN SUPPORT OF PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT Date: TBD Time: TBD. Judge England</p>
--	--

Declaration of [REDACTED] in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, my husband and I donated \$**XXX** to ProtectMarriage.com -
6 Yes on 8, a Project of California Renewal.

7 4. The city where I live is a very safe, family-oriented, education-focused city, and has
8 been rated the safest large city in the United States by the FBI. This is a city with several
9 universities and community colleges, where you never find any graffiti or vandalism.

10 5. Because of the reputation of the city, I was surprised during the Proposition 8
11 campaign to see vandalism directed at "Yes on 8" signs.

12 6. In support of Proposition 8, I called registered voters, volunteered 6-7 times at sign
13 waving events at major intersections, delivered yard signs to volunteers, forwarded email updates
14 to friends, and wrote blog entries, among other things.

15 7. Every time that I participated in a sign waving event, several people would shout
16 obscenities, and other people would argue with us. Other people would make obscene gestures
17 from their cars as they drove by. At some events, people with "No on 8" signs would come and
18 stand in front of us to block our signs, and make hateful comments to us. At every sign waving
19 event, I felt very nervous and scared, wondering if someone would come and yell at us or hurt us.
20 Because of the hostile environment at these sign waving events, we did not bring our children to
21 participate.

22 8. In support of Proposition 8, near the end of the campaign, I also had two bumper
23 stickers on my car. During the fall, someone keyed the left side of the car, and I believe it was
24 because of these bumper stickers, which was near the bumper sticker on the left rear window.
25 The key line was about 27 inches in length.

26 9. In support of Proposition 8, I also placed two "Yes on 8" signs in my front yard.

27
28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

1 10. After seeing that most of the signs on public streets were stolen almost as soon as they
2 were put out, I brought one of the two "Yes on 8" signs inside and kept it in my front window. I
3 kept the yard sign inside because I was afraid that if I kept it outside, it would be stolen.

4 11. I left the second yard sign out in the yard, but I brought it inside at night to keep it
5 from being stolen or defaced.

6 12. Although I live in a gated community, at the end of October, someone slashed the one
7 yard sign that was outside at the time.

8 13. I repaired the sign and replaced it in my yard. This time, I placed the yard sign inside
9 a low wall in the front yard, so people would have to go out of the way in order to reach it.

10 14. Despite these efforts to prevent any further damage to the sign that remained outside
11 during the day, on Halloween, someone ripped it out of the yard, pulled it out of the ground, and
12 threw it about ten feet outside of my property.

13 15. Also on Halloween, I had teenagers come to my door for trick or treating and tell me
14 that my support for Proposition 8 was "stupid and wrong." Some of the parents accompanying
15 the children who were trick or treating also pointed and whispered to one another in disapproval
16 of my support for Proposition 8.

17 16. I also saw that a neighbor's "Yes on 8" sign had been slashed on Halloween.

18 17. In the future, these incidents would make me hesitant about donating to or supporting
19 a similar cause because of worry about harassment, violence, and discrimination against my
20 family, and fear of damage to our property. I believe these sorts of incidents prevent freedom of
21 speech and freedom in elections.

22 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
23 AND CORRECT|

24 Executed on: **REDACTED** **REDACTED**
25 **REDACTED**
26
27

28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #13 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
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Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

John Doe #14

Case 2:09-cv-00058-MCE-DAD Document 117 Filed 06/03/2009 Page 1 of 4

James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
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 Counsel for All Plaintiffs

* *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

**United States District Court
 Eastern District of California
 Sacramento Division**

<p>ProtectMarriage.com, et al., <i>Plaintiffs,</i> v. Debra Bowen, et al., <i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD DECLARATION OF [REDACTED] IN SUPPORT OF PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT Date: TBD Time: TBD. Judge England</p>
--	--

Declaration of [REDACTED] in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I donated \$**XXXX** to my church.

6 4. In support of Proposition 8, I placed Yes on 8 signs in my yard and on a balcony of my
7 house.

8 5. The Yes on 8 signs were ripped out of my yard and off of my balcony at least once a
9 week after I put them up.

10 6. On September 23, 2008, someone egged and floured my home during the night.

11 7. In October, my home was once again egged and floured.

12 8. On the day before the November 2008 election, my home was egged and floured for a
13 third time.

14 9. On November 1, 2008, my cars were egged and floured. Additionally, someone poured
15 honey on my cars. This destroys the finish on the cars.

16 10. On November 3, 2008, my cars were once again egged, floured, and had honey
17 poured on them.

18 11. In support of Proposition 8, I also placed bumper stickers on my cars and on my
19 motorbike.

20 12. In August and September, the bumper stickers on my cars were scraped off the back
21 glass windows of the cars. This happened during the day, while the cars were parked on the
22 street.

23 13. At work, I park in a parking lot. One day while I was at work, someone scraped the
24 bumper sticker off of my motorbike.

25 14. On November 5, 2008, my motorbike was pushed over.

26 15. Someone vandalized my church's temple. The next day, I assisted in the clean up of
27

28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

1 the graffiti that had been spray painted at the Temple.

2 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
3 AND CORRECT.

4 Executed on: **REDACTED** **REDACTED**
5 **REDACTED**

28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #14 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

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Attorney for Defendant Dean C. Logan

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Attorney for Defendant Jan Scully

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*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

John Doe #15

Case 2:09-cv-00058-MCE-DAD Document 118 Filed 06/03/2009 Page 1 of 4

James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
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 Counsel for All Plaintiffs

* *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

**United States District Court
 Eastern District of California
 Sacramento Division**

<p>ProtectMarriage.com, et al.,</p> <p><i>Plaintiffs,</i></p> <p>v.</p> <p>Debra Bowen, et al.,</p> <p><i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF [REDACTED] [REDACTED] IN SUPPORT OF PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
--	---

Declaration of [REDACTED] in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I signed up to help to circulate the petition to get
6 Proposition 8 on the November 2008 ballot. However, I was unable to participate because the
7 times assigned to me conflicted with my schedule.

8 4. I have a brother who is openly gay.

9 5. I never discussed the issue of Proposition 8 with my brother; however, during one of
10 our regular phone conversations, he pressed me about how I planned to vote. I told him that I
11 could vote "yes" or "no," just like anyone else could on Proposition 8 or any other ballot
12 measure. He interpreted this comment as a suggestion that he should vote "yes" on Proposition
13 8.

14 6. As a result of the above conversation, I received an ugly and inflammatory e-mail
15 from my brother's partner. A true and correct copy of this email is attached as Exhibit A. A
16 true and correct copy of the series of emails that I exchanged after this initial email with my
17 brother's partner is attached as Exhibit B.

18 7. This email was also forwarded to my sister-in-law, who supports gay marriage.

19 8. My brother will no longer speak to me as a result of my support for Proposition 8,
20 and I believe that our family dynamics have changed forever.

21 9. I am deeply saddened that merely participating in the democratic process could have
22 such adverse consequences for my family.

23 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
24 AND CORRECT.

25
26
27
28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

Executed on: **REDACTED**

REDACTED

REDACTED

Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #15 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

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Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

Exhibit A

John Doe #15

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Subj: **Re: Proposition 8**
Date: 10/28/2008 9:28:25 A.M. Pacific Daylight Time
From: REDACTED
To: REDACTED

In a message dated 10/28/2008 8:00:24 A.M. Pacific Daylight Time, REDACTED writes:

REDACTED ...I am at a complete loss...I have not discussed prop 8 with REDACTED, so I do not know where this is coming from? Can you please take a minute and fill me in? I would very much appreciate it. REDACTED

In a message dated 10/28/2008 7:35:52 A.M. Pacific Daylight Time, REDACTED writes:

Dear REDACTED

Your views, among others, on proposition 8 has placed you in the camp of opposition to civil rights.

I've seen this reaction with REDACTED before and it's seldom reversible.
Remember Aunt REDACTED?

REDACTED

You ended your last conversation telling him to vote yes on proposition 8.

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Play online games for FREE at Games.com! All of your favorites, no registration required and great graphics – check it out!

Play online games for FREE at Games.com! All of your favorites, no registration required and great graphics – check it out!

Exhibit B

Subj: Re: Remember Aunt [REDACTED]
Date: 10/29/2008
To: [REDACTED]

No [REDACTED]...this isn't just about [REDACTED]...this is also about you sending that e-mail...Does this e-mail mean that [REDACTED] really did direct that the e-mail go out and you had nothing to do with it? Or, are you just backing away from doing what is right? If I understood what you had to say, it was your decision to send that e-mail and [REDACTED] didn't agree with it...Is that right or not? If you did send it on your own, then you should correct what you did and make it right with the family and me. I could have done what you did, and hit "reply all" to all of this, but I didn't do that. Never would. Correcting this is the least you can do for me... [REDACTED]

In a message dated 10/29/2008 6:00:32 P.M. Pacific Daylight Time, [REDACTED] writes:

Don't kill the messenger.
You asked.
It's entirely between you and [REDACTED]

message dated 10/29/2008 5:10:31 P.M. Pacific Daylight Time, [REDACTED] writes:

Like I said, [REDACTED]...I never told [REDACTED] to vote yes on 8...If he thinks that I did, then he took me out of context. There is no selective memory going on here... [REDACTED] doesn't always listen when he is in argue mode. Why don't both of you give me the benefit of the doubt? Why have you chosen to take the low road? It seems so beneath two men that I have seen support fairness over the years. I did not want to discuss politics with [REDACTED] and told him that, more than once..None of this should have ever gotten to this. You made the decision to send that e-mail which was completely wrong of you to do...If either of you had a problem, then you should have communicated with me and not the family. When something like that goes out, it appears to me that it is coming from both of you. Yes...You did throw me under the bus, [REDACTED] And what does being a Republican and Catholic have to do with anything? It doesn't...You have both chosen to make this an issue about me and what you seem to think to know about my beliefs. If I do or don't agree with any proposition or candidate why should it matter? Isn't that private? Isn't that my right as a citizen? I have never done that to either of you...ever...Do you even realize how mean spirited and hurtful this has become? Does it matter to you? Why are you involving the family?

If you know that what you did was wrong, [REDACTED], why not make it right? [REDACTED]

In a message dated 10/29/2008 4:10:39 P.M. Pacific Daylight Time, [REDACTED] writes:

[REDACTED]

One last salvo since you are convinced you have been thrown under the bus,
1. You DID make that statement on the final call - the cell phone call had nothing to do with it. Just before [REDACTED] handed me the phone he said, " How would it be if legislation were passed to ban marriage for all - then we would all be equal. " This was in answer to "be sure to vote yes on proposition 8. That I heard him say and you did not reply - the phone was handed to me. [REDACTED] would not make that up - I think we have a case of selective memory going on here.

Monday, March 09 2009 4:01

[REDACTED]

In regard to "Remember Aunt [REDACTED] that was not from [REDACTED] - that was from me meaning that when [REDACTED] turns off on a person it's seldom retractable. You read that one completely wrong too. As far as [REDACTED] and I and [REDACTED] and [REDACTED]. We are not affected, as are you. This is a matter of civil rights. It's hard to believe that a staunch Republican and a devout Catholic could think any other way. Again there was no misunderstanding.

In a message dated 10/29/2008 12:35:59 P.M. Pacific Daylight Time, [REDACTED] writes:

No...It is not true...I told [REDACTED] that I did not want to talk about politics, prop 8 or anything else...that was one of my requests of [REDACTED] asking him not to always bring up politics. I told him that when I call it's to touch base, say hello and catch up...Not to get into never ending circles that get no where...He was agitated and I don't know what he heard, frankly, but whatever it was, I was misinterpreted (for sure)...Then my cell phone died and I called back on our land line. What you guys do or don't do and believe or don't believe is your business. I have never discussed prop 8 with either of you, nor have I shared my position. I have been conflicted about it because of you guys as well as [REDACTED] and [REDACTED]....and, I never told him to vote yes on 8...How presumptuous would that be of me? (and dumb). What I believe is my business and what he (and you) believe is your business...that's it. You know how sensitive things are with [REDACTED] and me...and now, I'm sure she's thinking what an awful person I am because I don't support you and [REDACTED] in this issue. It has literally made me ill...I know how it goes...from [REDACTED] to the kids, and I'm the bad guy. I am more upset by all of this than either of you know...It doesn't matter to you...You've succeeded in doing the damage, and there is nothing I can do about it. I'm sorry it has come to this, as well...It's all sad...I feel like my heart is breaking...

In a message dated 10/29/2008 11:50:18 A.M. Pacific Daylight Time, [REDACTED] writes:

[REDACTED]

First off I was wrong very wrong to involve the family in this matter - I'll explain why at the end of this statement. [REDACTED] also thinks it was wrong.

The crux of the whole thing was that your last statement to [REDACTED] was "be sure to vote yes on Proposition 8" Is this not true? Did [REDACTED] mis-interpret that statement? Now you say that you never mentioned prop 8.

Where do I stand ? I too believe that the marriage ritual is designed for a man and woman and the propagation of children and forming a family unit. I would call it something else but certainly grant the sanctions bestowed on married couples.

There are two main reasons for same sex marriages that I've been made well aware of . The first financial the second enjoying the rituals and celebration of a formal marriage. The right to show their love proudly to others. None of which affects [REDACTED] or I.

But we both feel that others have the right to what they feel is best.

We would not in anyway deny them their civil rights - much like the women's right to vote.

This is not a political nor a religious issue. This is a civil rights issue.

Now the reason I forwarded that E to G&B. When this whole thing about Gay marriage was instituted the first person wanting to know if [REDACTED] and I were going to do this was [REDACTED] even offered to stand for us. [REDACTED] registered to vote specifically for the opportunity to vote on this matter.

I know how [REDACTED] feels about this and I will not defend nor attack his reasoning. This is something that you and he have to deal with.

I am not true family so I don't have the blood thing to deal with.

Sorry it's come to this.

[REDACTED]

John Doe #16

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 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
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* *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

**United States District Court
 Eastern District of California
 Sacramento Division**

<p>ProtectMarriage.com, et al.,</p> <p><i>Plaintiffs,</i></p> <p>v.</p> <p>Debra Bowen, et al.,</p> <p><i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF [REDACTED] [REDACTED] IN SUPPORT OF PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
--	---

Declaration of [REDACTED] in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, REDACTED, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I contributed a total of \$X,XXX to ProtectMarriage.com -
6 Yes on 8, a Project of California Renewal.

7 4. In support of Proposition 8, I also put a "Yes on 8" yard sign in my yard, as well as the
8 yard of my cousin. Although my sign was not touched, the sign I placed in the yard of my cousin
9 disappeared within a week. Two other "Yes on 8" signs on the same street as my cousin's sign
10 also disappeared.

11 5. On impulse the Saturday before the election, I stood with a "Yes on 8" sign on a corner
12 for approximately four hours. Although I received many people who honked and supported me, I
13 also had a number of people yell "No on 8," shake their fists at me, call out "shame," and give
14 me a thumbs down.

15 6. One man who was going the opposite way from where I stood stopped his car, stood up
16 (I believe through his sun roof), and shouted "You despicable filthy bag of shit!" at me.

17 7. Several cars drove around and around the block and yelled things like "You bitch" each
18 time they drove by.

19 8. One car with several men in it stopped, and a man in the back seat opened the door and
20 threw something right at me. Luckily, the object missed me, but I could not find the object that
21 he threw at me, so I do not know what it was.

22 9. One woman stopped her car and yelled "Get the hell out of here. Who do you think
23 you are, bringing that hate into my neighborhood?" I tried to tell her that I am a 4th generation
24 San Franciscan, who owns a house four blocks from where I was standing. However, the woman
25 kept screaming and drowning me out. She drove away, and came back two more times.

26 10. On January RE, REDACTED, a letter I wrote was published in REDACTED, the official
27

28 Declaration of REDACTED in
Support of Plaintiffs' Motion for
Summary Judgment

1 publication of the San Francisco **REDACTED**); on January **REDACTED**, **REDACTED**, a letter I wrote was
2 published in **REDACTED**, the paper of my employer, the University of **REDACTED**.
3 These letters were signed with my first initial and last name only.

4 11. One of my bosses (who I believe is a lesbian), and an openly gay man work behind
5 me at my office. On January **REDACTED**, **REDACTED**, the day after the publication of my letter in the paper of
6 my employer, I heard them talking about me in ways that are not complimentary, and when I
7 heard them speaking about me, I worried that my job might be in jeopardy.

8 12. On February **REDACTED**, **REDACTED**, the department head asked to speak with me, and in short, he
9 told me that he could not guarantee my job beyond the current year. He suggested that I keep my
10 options open. I am not sure that my support for Proposition 8 has led to my job being in
11 jeopardy, but I suspect that it has put it in jeopardy.

12 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
13 AND CORRECT.

14 Executed on: **REDACTED** **REDACTED**
15 **REDACTED**
16 **REDACTED**

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28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #16 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

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Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

John Doe #17

Case 2:09-cv-00058-MCE-DAD Document 120 Filed 06/03/2009 Page 1 of 4

James Bopp, Jr. (Ind. State Bar No. 2838-84)*
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 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
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 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 Counsel for All Plaintiffs

* *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

**United States District Court
 Eastern District of California
 Sacramento Division**

<p>ProtectMarriage.com, et al.,</p> <p><i>Plaintiffs,</i></p> <p>v.</p> <p>Debra Bowen, et al.,</p> <p><i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF [REDACTED] IN SUPPORT OF PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
--	--

Declaration of [REDACTED] in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, [REDACTED], make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I made a donation in August 2008 of \$X,XXX to
6 ProtectMarriage.com - Yes on 8, a Project of California Renewal. My wife also donated \$X,XXX
7 to ProtectMarriage.com in late October.

8 4. Because of my donation in support of Proposition 8, my name was listed on the "List
9 of Shame" at the Californians Against Hate website.

10 5. After my name appeared on the Californians Against Hate website, I was contacted by
11 our local [REDACTED] television affiliate to do a television interview on the "List of Shame." On
12 September [REDACTED], this interview appeared on television here in [REDACTED]. The interview
13 appeared as part of a larger piece on Proposition 8 on the evening news.

14 6. On the evening of September [REDACTED], after the interview appeared, I received a hate
15 call. My family was not home at the time, and a female caller left a message on our answering
16 machine. Using sarcasm, , she told us we must be proud of our decision to donate to Proposition
17 8.

18 7. Prior to doing the interview, I had let two other partners in my accounting business
19 know about my decision to participate in the interview; both of them were supportive of my
20 decision to appear on television as a supporter of Proposition 8.

21 8. Someone at my workplace saw my name and donation posted online, and told the
22 human resources department where I work about my donation to Proposition 8.

23 9. Several days after the November 2008 election, the partner who oversees the human
24 resources department and the human resources director let me know that someone had pointed
25 out that my name appeared online as part of the blacklists of people who had supported
26 Proposition 8 circulating on the internet. I do not believe that we received any complaints from
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28 Declaration of [REDACTED] in
Support of Plaintiffs' Motion for
Summary Judgment

1 clients about my donation.

2 10. I also received a postcard, at work, from an anonymous gay couple opposed to our
3 donation. I still have the postcard, which states:

4 I'm a bank executive and my partner is an IT manager. We are gay, and we both served in
5 the military during the Vietnam War. We got married recently, after being together for 30
6 years, but that's in limbo now thanks to the Great Religious War of 2008 in which the
7 sanctity of marriage was preserved. What is important, in addition to marriage being
8 saved, is that folks like us are relegated to permanent second class citizenship, so that we
9 don't have the same hospital visitation rights as you, or the ability to file a joint tax return,
or the pleasure and security that comes with knowing your committed relationship is
recognized by the state. We deserve to be adrift without rights for the rest of our lives.
Meanwhile, we will continue to pay our taxes to support your school systems for your
children.

10 We just hope you are proud of your participation in this Great Crusade. Just think of how
11 you have contributed to the economy with the money you donated! It doesn't matter that
12 there are thousands of worthwhile charities that could have used those funds to feed
starving people, clothe the homeless, and find cures for cancer and other life-threatening
diseases. You must be so proud!

13 11. My name and address are listed on the eightmaps.com website.

14 12. Although I would donate to a cause similar to Proposition 8 in the future, I believe
15 that there are people who would be afraid to donate because of the harassment of supporters of
16 Proposition 8..

17 13. Personally, I am most upset about the desecration of locations that we deem sacred,
18 and the vilifying of our church online and in the press. It seems shameful that the hateful and
19 personal nature of these actions have been justified in any measure in a country with a long
20 history of freedom of religion.
21

22 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
23 AND CORR
24 Executed on: **REDACTED** **REDACTED**
REDACTED

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28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #17 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

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zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
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Attorney for Defendant Dean C. Logan

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Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

John Doe #18

Case 2:09-cv-00058-MCE-DAD Document 121 Filed 06/03/2009 Page 1 of 4

James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
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 Counsel for All Plaintiffs

* *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

**United States District Court
 Eastern District of California
 Sacramento Division**

<p>ProtectMarriage.com, et al.,</p> <p><i>Plaintiffs,</i></p> <p>v.</p> <p>Debra Bowen, et al.,</p> <p><i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF [REDACTED] IN SUPPORT OF PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
--	--

Declaration of [REDACTED] in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I served as a coordinator for Proposition 8 at my parish.
6 Among the tasks that I performed as the coordinator were to go to the diocese and obtain inserts
7 for our weekly church bulletins. I also distributed these inserts to other churches, including some
8 churches that were not Catholic churches.

9 4. On November 2, 2008, the Sunday before the November 2008 election, two of these
10 inserts were placed in each church bulletin.

11 5. After Mass on November 2, 2008, I attended a pancake breakfast at my church.

12 6. On my way to the pancake breakfast, I noticed that several signs supporting
13 Proposition 8 that had been placed near the church had been removed. I replaced those signs
14 with ones I had in my car.

15 7. After replacing the signs, a woman and her daughter told me that she did not like me
16 putting up signs supporting Proposition 8.

17 8. I asked the woman if she was a parishioner at my church, and she replied that she was a
18 parishioner. I am not a confrontational person, and I told her that our faith required the woman
19 and her daughter to support Proposition 8, and discussed the basic elements of Proposition 8.

20 9. The woman and her daughter continued ranting about my support of Proposition 8 for
21 several minutes, before leaving.

22 10. As a coordinator for Proposition 8 at my parish, I also distributed signs supporting
23 Proposition 8. This is why I had signs in my car on November 2, 2008, which I could use to
24 replace the ones that had been removed near the church.

25 11. On five occasions in the weeks leading up to the November 2008 election, I put out
26 Yes on 8 signs. On each of these five occasions, the signs were removed. On one of these

27
28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

occasions, the sign was gone within two or three hours of me putting it out.

12. Although I would support a cause similar to Proposition 8 in the future, these incidents shook me to the core.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Executed on: REDACTED

REDACTED

REDACTED

Declaration of REDACTED in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #18 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
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Attorney for Defendant Dean C. Logan

Terence J. Cassidy
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Attorney for Defendant Jan Scully

Mollie M. Lee
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*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

John Doe #19

Case 2:09-cv-00058-MCE-DAD Document 122 Filed 06/03/2009 Page 1 of 3

James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
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 Counsel for All Plaintiffs

* *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

**United States District Court
 Eastern District of California
 Sacramento Division**

<p>ProtectMarriage.com, et al.,</p> <p><i>Plaintiffs,</i></p> <p>v.</p> <p>Debra Bowen, et al.,</p> <p><i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF [REDACTED] IN SUPPORT OF PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
--	--

Declaration of [REDACTED] in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of Louisiana over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I gave \$X,XXX to National Organization for Marriage
6 California - Yes on 8, sponsored by National Organization for Marriage.

7 4. Shortly after the passage of Proposition 8 in November 2008, a few of my colleagues
8 informed me that an email had been sent to the **REDACTED**, my colleagues, and the alumni
9 director from an alumna living in Georgia. The alumna stated that he would no longer contribute
10 to the **REDACTED**, because he had read my name on a list of donors to Proposition
11 8.

12 5. If I was still employed as an untenured professor, this email may well have intimidated
13 me. However, even though I retired as a chaired full professor, I still find this email irritating.

14 6. I have had political opponents in other causes, but I have never seen political
15 opponents act so out of bounds as the opponents of Proposition 8 have acted.

16 7. In the future, I will think twice about supporting a cause similar to Proposition 8,
17 because my son lives and works in San Francisco, California with my two granddaughters, and I
18 worry that someone could go after them.

19 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
20 AND CORRECT.

21
22 Executed on: **REDACTED**

REDACTED

REDACTED

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28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #19 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

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zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
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Attorney for Defendant Dean C. Logan

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Attorney for Defendant Jan Scully

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*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

John Doe #20

Case 2:09-cv-00058-MCE-DAD Document 123 Filed 06/03/2009 Page 1 of 4

James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
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 Counsel for All Plaintiffs

* *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

**United States District Court
 Eastern District of California
 Sacramento Division**

<p>ProtectMarriage.com, et al.,</p> <p><i>Plaintiffs,</i></p> <p>v.</p> <p>Debra Bowen, et al.,</p> <p><i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF [REDACTED] IN SUPPORT OF PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
--	--

Declaration of [REDACTED] in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I donated \$X,XXX to ProtectMarriage.com - Yes on 8, a
6 Project of California Renewal.

7 4. In support of Proposition 8, I also organized and hosted wave parties, where supporters
8 of Proposition 8 would gather and wave at passing motorists. I also made phone calls and
9 participated in phone banks on several occasions, making calls in support of Proposition 8. On
10 November 4, 2008, I called supporters of Proposition 8 from 10:00 a.m. until 6:00 p.m.

11 5. In support of Proposition 8, I also placed a Yes on 8 yard sign in my front yard.

12 6. There is a lesbian couple who lives near me. These women have been customers of my
13 business for several years, and I have helped them with yard work in the past. When the couple
14 saw the sign in my front yard, they told me that they would no longer patronize my business.
15 They have not patronized my business since I placed the yard sign in my yard.

16 7. Sometime in October, this Yes on 8 yard sign disappeared from my yard.

17 8. My business is listed on YellowPages.com. YellowPages.com allows customers of a
18 business to post reviews of the services provided by the business. As of February 6, 2008, the
19 only review for my business on YellowPages.com states: "This company was a donor to the
20 California "Yes on 8" campaign, which took away existing equal rights for same-gender
21 couples." The review then lists my name and the Secretary of State's website, which lists the
22 donation that I made in support of Proposition 8. A true and correct copy of this review as it
23 appeared on February 6, 2008 is attached as Exhibit A.

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28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

1 9. These incidents would not change my support for a cause similar to Proposition 8 in
2 the future. However, at any future wave parties, I would make sure that we have at least one man
3 with each group of wavers, to ensure the protection and safety of the teenagers who are
4 participating, and to keep confrontations with people opposing a cause similar to Proposition 8 at
5 a minimum.

6 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
7 AND CORRECT.

8
9 Executed on: REDACTED

REDACTED

REDACTED

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28 Declaration of REDACTED in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #20 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

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Judy W. Whitehurst
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Attorney for Defendant Jan Scully

Mollie M. Lee
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*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

Exhibit A

REDACTED

YELLOWPAGES.COM

http://www.yellowpages.com/

REDACTED

REDACTED

revi...

Case 2:09-cv-00058-MCE-DAD

Document 123-2

Filed 06/03/2009

Page 2 of 2

YELLOWPAGES.COM

Standard | Distance | Phone Number

Home >

REDACTED

Name Search

REDACTED

> More Info - E

REDACTED

REDACTED

Based on 1 review.

Rate it | Read Reviews

(800) 2-REDACTED

Call

Visit Web Site

REDACTED

Watch Video

Get Coupons

Hear More

Yellow Pages Ad

E-mail this page

Contact Us Today for Additional Information

Send To Mobile | Map It | E-mail It | Get Directions | Search Nearby | Save This Listing | Save a Note

"Give Us A Ring"

USER REVIEWS:

★ ★ ★ ★ ★

Based on 1 review.

Values

Posted by not2shy on 11/08/2008

★ ★ ★ ★ ★

Not Recommended

This company was a donor to the California "Yes on 8" campaign, which took away existing equal rights for same-gender couples.

REDACTED

REDACTED

on <http://cal-access.ss.ca.gov/Campaign/Measures/Detail.aspx?id=1>

REDACTED

&session=2007

REDACTED

REDACTED

Report Abuse

Respond to This Review

Read All Reviews by not2shy

Rate This Review:

(0)

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Part of the new at&t

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Some data provided by Localize and Acorn.

John Doe #21

Case 2:09-cv-00058-MCE-DAD Document 124 Filed 06/03/2009 Page 1 of 3

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 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
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 Counsel for All Plaintiffs

* *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

**United States District Court
 Eastern District of California
 Sacramento Division**

<p>ProtectMarriage.com, et al.,</p> <p><i>Plaintiffs,</i></p> <p>v.</p> <p>Debra Bowen, et al.,</p> <p><i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF [REDACTED] IN SUPPORT OF PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
--	--

Declaration of [REDACTED] in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, [REDACTED], make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. I am a member of the [REDACTED], who donated \$X,XXX,XXX as a group to
6 support Proposition 8.

7 4. In support of Proposition 8, I spoke to many individuals about Proposition 8, and was
8 successful in having some people who intended to vote "no" on Proposition 8 change their votes
9 to "yes" on Proposition 8.

10 5. In support of Proposition 8, I also placed a "Yes on 8" sign on my front lawn. I live on
11 the main street of a private country club.

12 6. My neighbor, who is an attorney, stopped me about the sign. He told me that I was a
13 "bigot" and an "enabler." My neighbor was angry and belligerent when he stopped me to speak
14 to me about Proposition 8.

15 7. Many of the members of the country club have made rude comments to me about my
16 sign. The openly gay members of the country club have changed their attitudes toward me. They
17 used to greet me warmly; now, they give me looks of disdain and do not greet me as I pass.

18 8. After Proposition 8 passed in the November 2008 election, a well-known Hollywood
19 person put a "No on 8" sign on my lawn. After I took the "No on 8" sign down, this person put
20 up another "No on 8" sign. I continued taking down the "No on 8" signs that this person put up,
21 and this person continued to take them down for approximately two weeks after the election.

22 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
23 AND CORRECT.

24 Executed on: [REDACTED]

REDACTED

REDACTED

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28 Declaration of [REDACTED] in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #21 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

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Attorney for Defendant Dean C. Logan

Terence J. Cassidy
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*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

John Doe #22

Case 2:09-cv-00058-MCE-DAD Document 125 Filed 06/03/2009 Page 1 of 3

James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
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Timothy D. Chandler (Cal. State Bar No. 234325)**
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 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 Counsel for All Plaintiffs

* *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

**United States District Court
 Eastern District of California
 Sacramento Division**

<p>ProtectMarriage.com, et al.,</p> <p><i>Plaintiffs,</i></p> <p>v.</p> <p>Debra Bowen, et al.,</p> <p><i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF [REDACTED] IN SUPPORT OF PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
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Declaration of [REDACTED] in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I made phone calls to remind citizens in Sonoma County to
6 vote for Proposition 8, and I obtained a half dozen signs to give to others to put on their property.

7 4. I live on a well-traveled residential street, and in support of Proposition 8, I placed two
8 “Yes on 8” signs in my yard in early October 2008. I have two patches of lawn on either side of
9 my front stairs, and I placed one “Yes on 8” sign in each patch. On the second night that the
10 signs were out, someone removed them.

11 5. After having our signs stolen, I began bringing in the replacement signs at night, so that
12 they would not be stolen again.

13 6. Around October 15, someone left a note under my front doormat. The note appeared to
14 have been written by a young person. There was a drawing on the note, and a message that said
15 Yeshua loves me (presumably a homosexual), and does not love those who hate.

16 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
17 AND CORRECT.

18
19 Executed on: **REDACTED**

REDACTED

REDACTED

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28 Declaration of **REDACTED** in
Support of Plaintiffs’ Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #22 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

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*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

John Doe #23

Case 2:09-cv-00058-MCE-DAD Document 126 Filed 06/03/2009 Page 1 of 3

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 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
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 Counsel for All Plaintiffs

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 Facsimile: (480) 444-0028
 Counsel for All Plaintiffs

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 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 Counsel for All Plaintiffs

* *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

**United States District Court
 Eastern District of California
 Sacramento Division**

<p>ProtectMarriage.com, et al.,</p> <p><i>Plaintiffs,</i></p> <p>v.</p> <p>Debra Bowen, et al.,</p> <p><i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF [REDACTED] IN SUPPORT OF PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
--	--

Declaration of [REDACTED] in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I donated over \$X,XXX to ProtectMarriage.com - Yes on 8,
6 a Project of California Renewal.

7 4. In support of Proposition 8, I also placed a bumper sticker on my car.

8 5. Because of my support of Proposition 8, my name was published on a "blacklist" of
9 donors to Proposition 8. This made me concerned for the safety of my boys, and I instructed the
10 principal at their school to alert the teachers that only my wife or I was to pick them up from
11 school. Although most of the websites with blacklists have since been taken down, the San
12 Francisco Chronicle now has a site where donors to Proposition 8 can be looked up.
13 Additionally, I am very concerned about www.eightmaps.com, where people can obtain maps
14 directing them to the homes of people who supported Proposition 8.

15 6. About a week after the November 2008 election, someone ordered a book containing
16 the greatest homosexual love stories of all time and sent it to me. Amazon would not tell me
17 who sent this book.

18 7. On the night of the election, when Proposition 8 passed, someone painted the face of
19 the statute of Mary, the Mother of Jesus, outside of my church orange.

20 8. Because of these incidents, if I donate to a cause similar to Proposition 8 in the future, I
21 may donate a lesser amount under the disclosure threshold, or donate to an organization in a way
22 that will not require the disclosure of my name.

23 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
24 AND CORRECT.

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26 Executed on: **REDACTED**

REDACTED

REDACTED

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28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #23 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

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Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

John Doe #24

Case 2:09-cv-00058-MCE-DAD Document 127 Filed 06/03/2009 Page 1 of 3

James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 Scott F. Bieniek (Ill. State Bar No. 6295901)*
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 Counsel for All Plaintiffs

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 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 Counsel for All Plaintiffs

* *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

**United States District Court
 Eastern District of California
 Sacramento Division**

<p>ProtectMarriage.com, et al.,</p> <p><i>Plaintiffs,</i></p> <p>v.</p> <p>Debra Bowen, et al.,</p> <p><i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF [REDACTED] [REDACTED] IN SUPPORT OF PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
--	---

Declaration of [REDACTED] in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I called and emailed all of my friends and family, asking
6 them to support Proposition 8. I put yard signs out, and contacted my representatives to tell them
7 to support Proposition 8.

8 4. Before the November 2008 election, my daughters and I were walking our dogs. While
9 we were walking, I noticed that someone had crossed off the word "Yes" on the "Yes on 8" yard
10 sign in my front yard, and written "No" in its place.

11 5. In support of Proposition 8, I also placed a bumper sticker on my car. Long before the
12 election, someone ripped the bumper sticker off of my car while I was parked in a shopping area.
13 Instead of replacing this bumper sticker with a second bumper sticker on the outside of the car, I
14 replaced it with a bumper sticker taped to the inside of my car window.

15 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
16 AND CORRECT.

17 Executed on: **REDACTED**

REDACTED

REDACTED

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28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #24 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
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Attorney for Defendant Jan Scully

Mollie M. Lee
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*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

John Doe #25

Case 2:09-cv-00058-MCE-DAD Document 128 Filed 06/03/2009 Page 1 of 3

James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 Scott F. Bieniek (Ill. State Bar No. 6295901)*
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 Facsimile: (812) 235-3685
 Counsel for All Plaintiffs

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 Counsel for All Plaintiffs

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 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 Counsel for All Plaintiffs

* *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

**United States District Court
 Eastern District of California
 Sacramento Division**

<p>ProtectMarriage.com, et al.,</p> <p><i>Plaintiffs,</i></p> <p>v.</p> <p>Debra Bowen, et al.,</p> <p><i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF [REDACTED] IN SUPPORT OF PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
--	--

Declaration of [REDACTED] in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I made donations for the costs of signs, and to the
6 American Family Association.

7 4. I am a Pastor, and our church family participated in a peaceful demonstration at a
8 major intersection, by holding signs and praying with other gathered demonstrators. While we
9 were participating in this demonstration, some people driving by made obscene gestures and
10 yelled obscenities at us.

11 5. Because of the behavior of these motorists, if I were to support a cause similar to
12 Proposition 8 in the future, I would not bring children to any demonstrations.

13 6. In support of Proposition 8, I also placed a yard sign in my yard and placed a sticker on
14 my wife's car.

15 7. At the end of October 2008, the sign was removed from our yard one night. We live
16 on a cul-de-sac with almost no traffic. At about the same time, while my wife's car was parked
17 at school, someone ripped the sticker off of her car.

18 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
19 AND CORRECT.

20
21 Executed on: **REDACTED**

REDACTED

REDACTED

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28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #25 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
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Attorney for Defendant Dean C. Logan

Terence J. Cassidy
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Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

John Doe #26

Case 2:09-cv-00058-MCE-DAD Document 129 Filed 06/03/2009 Page 1 of 3

James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 Scott F. Bieniek (Ill. State Bar No. 6295901)*
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 Facsimile: (812) 235-3685
 Counsel for All Plaintiffs

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 Counsel for All Plaintiffs

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 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 Counsel for All Plaintiffs

* *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

**United States District Court
 Eastern District of California
 Sacramento Division**

<p>ProtectMarriage.com, et al.,</p> <p><i>Plaintiffs,</i></p> <p>v.</p> <p>Debra Bowen, et al.,</p> <p><i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF [REDACTED] IN SUPPORT OF PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
--	--

Declaration of [REDACTED] in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I donated money toward signs and bumper stickers.

6 4. In support of Proposition 8, I also placed flyers in our church bulletin, and placed "Yes
7 on 8" signs in my yard, as well as in areas where the city had approved the posting of signs.

8 5. During October 2008, I had four signs stolen off of my property. In order to remove
9 the signs, the thief had to climb a brick retaining wall that is approximately 5.5. to 6 feet tall.

10 The signs were stolen both at night and during the day.

11 6. At least four of the signs that I placed in city-approved areas were also stolen.

12 7. In support of Proposition 8, I also placed flyers on people's cars. While doing this, a
13 man started yelling at me. He quickly became angry, and called me a "bigot."

14 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
15 AND CORRECT.

16
17 Executed on: **REDACTED**

REDACTED

REDACTED

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28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #26 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
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Judy W. Whitehurst
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Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

John Doe #27

Case 2:09-cv-00058-MCE-DAD Document 130 Filed 06/03/2009 Page 1 of 4

James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 Scott F. Bieniek (Ill. State Bar No. 6295901)*
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 Facsimile: (812) 235-3685
 Counsel for All Plaintiffs

Benjamin W. Bull (AZ Bar No. 009940)*
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 Facsimile: (480) 444-0028
 Counsel for All Plaintiffs

Timothy D. Chandler (Cal. State Bar No. 234325)**
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 Folsom, CA 95630
 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 Counsel for All Plaintiffs

* *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

**United States District Court
 Eastern District of California
 Sacramento Division**

<p>ProtectMarriage.com, et al.,</p> <p><i>Plaintiffs,</i></p> <p>v.</p> <p>Debra Bowen, et al.,</p> <p><i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF [REDACTED] IN SUPPORT OF PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
--	--

Declaration of [REDACTED] in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of Michigan over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of the passage of Proposition 8, I donated approximately \$**XXX** to National
6 Organization for Marriage.

7 4. Although I have supported causes similar to Proposition 8 in the past, my only public
8 support of Proposition 8 was the donation I made to the National Organization for Marriage
9 California - Yes on 8, Sponsored by National Organization for Marriage ("National Organization
10 for Marriage"). The only way I could be publicly identified as supporting Proposition 8 was
11 through the public disclosure of my personal information as a result of my donations to the
12 National Organization for Marriage.

13 5. When I made my donation, I had no idea that my name would be made public. It had
14 been my intention to remain anonymous. Had I known that my name would be posted online, I
15 probably would not have donated.

16 6. I am an author of three books under the pseudonym of **REDACTED**. I regularly check
17 the internet to see what sort of information is being published about me.

18 7. In December, I performed one of my regular checks of the internet and discovered that
19 my name had been posted on a "BoycottH8ers List" and listed as an intolerant "H8er" for
20 supporting Proposition 8 in California. I support Proposition 8 because I believe that Natural
21 Law is the basis of the U.S. Constitution and all laws. I am not a "H8er."

22 8. After being listed as a "H8er" on the internet, I sent an email to the Christian Legal
23 Crew, and told them that I wished I would have known that my name would be posted on the
24 internet if I made a donation. A true and correct copy of the text of that email is attached as
25 Exhibit A.

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28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

1 9. In the future, I would be much less likely to get involved in a cause similar to
2 Proposition 8 that does not assure my confidentiality.

3 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
4 AND CORRECT.

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6 Executed on: REDACTED

REDACTED

REDACTED

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28 Declaration of REDACTED in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #27 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs


Case 2:09-cv-00058-MCE-DAD Document 130-2 Filed 06/03/2009 Page 1 of 2 **John Doe #27**

EXHIBIT A

John Doe #27

Case 2:09-cv-00058-MCE-DAD Document 130-2 Filed 06/03/2009 Page 2 of 2

From: REDACTED
Subject: Boycott Alert??
Date: Fri, 5 Dec 2008 05:40:47 -0500

Dear Christian Legal Crew,
Because I support(ed) Natural Law as the basis for ALL LAW. as in the Constitution, my name gets posted on the internet, and sullied, as a discriminator and hater? Too bizarre. This has the potential to quash dissent and jeopardize contributors personal safety. Wish I would have known this before I contributed... 

Sincerely,
REDACTED

<http://www.boycotth8ters.com/cresults.asp?> REDACTED

John Doe #28

Case 2:09-cv-00058-MCE-DAD Document 131 Filed 06/03/2009 Page 1 of 3

James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 1 South Sixth Street
 Terre Haute, IN 47807-3510
 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 Counsel for All Plaintiffs

Benjamin W. Bull (AZ Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 15100 North 90th Street
 Scottsdale, Arizona 85260
 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 Counsel for All Plaintiffs

Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 Counsel for All Plaintiffs

* *Admitted Pro Hac Vice*

** *Designated Counsel for Service*

**United States District Court
 Eastern District of California**

<p>ProtectMarriage.com, et al.,</p> <p style="text-align: right;"><i>Plaintiffs,</i></p> <p style="text-align: center;"><i>v.</i></p> <p>Debra Bowen, et al.,</p> <p style="text-align: right;"><i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF [REDACTED] IN SUPPORT OF PLAINTIFFS’ MOTION FOR SUMMARY JUDGMENT</p> <p>Date: TBD Time: TBD Judge England</p>
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Decl. of [REDACTED] in Support of Plaintiffs’ Motion for Summary Judgment

John Doe #28

Case 2:09-cv-00058-MCE-DAD Document 131 Filed 06/03/2009 Page 2 of 3

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein are
3 based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of the passage of Proposition 8, I made two separate donations to
6 ProtectMarriage.com – Yes on 8, each in the amount of \$**XX,XXX.XX**.

7 4. I did not engage in any other public support of Proposition 8, such as putting up a yard-sign or
8 placing a bumper-sticker on my vehicle. The only way I could be publicly identified as supporting
9 Proposition 8 was through the public disclosure of my personal information as a result of my donations
10 to ProtectMarriage.com – Yes on 8.

11 5. On November 11, 2008, at 11:55 a.m., I received a voice mail from an unknown male at my
12 workplace that said: “Hey, it’s really disheartening to know that one of my neighbors supported
13 Proposition 8 so heavily. What a scum-fuck!” A true and correct recording of this voice mail is attached
14 as Exhibit A.

15 6. The phone number the unknown male called from was blocked, so I was unable to obtain the
16 number from my caller-identification system.

17 7. I filed a report of this harassing phone call with the **REDACTED** Police Department. A true and
18 correct copy of that report is attached as Exhibit B.

19 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND
20 CORRECT.

21 Executed on: **REDACTED**

REDACTED

REDACTED

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28

Decl. of **REDACTED** in Support of Plaintiffs’ Motion for Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #28 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

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Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

Exhibit B

Print Report

Page 1 of 1

Case 2:09-cv-00058-MCE-DAD Document 131-2 Filed 06/03/2009 Page 2 of 2

John Doe #28

REDACTED

This incident has been reported to the
REDACTED Police Department
and is pending approval

REDACTED Police Department
REDACTED Main Street
REDACTED CA
REDACTED

General Information

Incident Type Harassing Phone Call
Temporary Report Number T08000053
Report Date 11/20/2008 12:48 PM

Reporting Person Information

Name REDACTED
Home Address REDACTED
Home Phone 000-000-0000
DOB REDACTED

Incident Information

Incident Location REDACTED CA
Incident Time (start) 11/11/2008 11:55 AM
Incident Time (end) 11/11/2008 12:00 PM

Incident Description

An unknown male from a phone number that showed up as "870" left me a harrassing and profane voice mail that said: "Hey, it's really disheartening to know that one of my neighbors supported Proposition 8 so heavily. What a scum-fuck!". I have an MP3 copy of that voice mail as the voice mail system delivers it to the email inbox. I can provide the copy at any time.

Print This Report Close Window

John Doe #29

Case 2:09-cv-00058-MCE-DAD Document 132 Filed 06/03/2009 Page 1 of 4

James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
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 Counsel for All Plaintiffs

* *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

**United States District Court
 Eastern District of California
 Sacramento Division**

ProtectMarriage.com, et al.,

Plaintiffs,

v.

Debra Bowen, et al.,

Defendants.

Case No. 2:09-CV-00058-MCE-DAD

**DECLARATION OF [REDACTED]
 [REDACTED] IN SUPPORT OF
 PLAINTIFFS' MOTION FOR SUMMARY
 JUDGMENT**

Date: TBD
 Time: TBD.
 Judge England

Declaration of [REDACTED] in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of New York over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of the passage of Proposition 8, I donated \$**X,XXX** to National Organization
6 for Marriage - Yes on 8.

7 4. Prior to the November 4, 2008 election, my name was published on SFGate.com, the
8 website of the San Francisco Chronicle, as a supporter of Proposition 8.

9 5. After my name appeared on the SFGate.com website as a supporter of Proposition 8, I
10 received several harassing emails, which I deleted from my email account.

11 6. At approximately **X:XX** p.m., on February **X**, 2009, I returned to my home to find two
12 men standing outside the house waiting for me. These men were reporters for the **REDACTED**
13 **REDACTED**. Although I had been sent an email earlier in the day telling me that these reporters
14 would be at my house later in the day, I had not received this email by the time I returned home.
15 After speaking briefly with the reporters, the reporters left my house.

16 7. The presence of these reporters at my house angered me. My husband recently had a
17 heart attack, and I worry that the stress of people showing up at my house without warning,
18 because of the publication of my address, could cause aggravation of his heart or other health
19 problems.

20 8. On February **X**, **REDACTED**, an article about my donation to Proposition 8 appeared in the
21 **REDACTED**. A true and correct copy of that article is attached as Exhibit A.

22 9. On February **X**, **REDACTED**, after the article appeared in the **REDACTED**, I received
23 approximately 45 emails at my gmail account, and another 10-12 at my personal email account.
24 True and correct copies of the text of several of the emails that I received are attached as Exhibit
25 B.

26 10. The emails I received included threats harassment, and reprisals. For example, one
27

28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

1 email states: "Your donation to Yes on prop 8 purchased you a BOYCOTT from gays/lesbians
2 and our friends." Another states: "you work is garbage and should be defaced!" Still another
3 states: "[O]therwise you better not ever show your face again at any gay gathering."

4 11. I am an artist, but I also regularly write on art and culture. After publication of the
5 article in the REDACTED, one of my former editors received a letter from a member of
6 the homosexual community regarding my donation in support of Proposition 8. He forwarded
7 this letter to me, and I responded. True and correct copies of our communications, including the
8 letter sent to my former editor, are attached as Exhibit C.

9 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
10 AND CORRECT.

11
12 Executed on: REDACTED

REDACTED

REDACTED

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28 Declaration of REDACTED in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #29 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
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Attorney for Defendant Dean C. Logan

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tcassidy@porterscott.com
Attorney for Defendant Jan Scully

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*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

Exhibit A

Artist draws gays' ire for same-sex nups ban support

Case 2:09-cv-00058-MCE-DAD Document 132-2 Filed 06/03/2009 Page 2 of 2

Artist draws gays' ire for same-sex nups ban support

Tuesday, February 3rd 2009, 4:00 AM

LOS ANGELES - A [REDACTED] artist known for her colorful canvases of drag queens and gay pride parades gave [REDACTED] to help pass California's ban on same-sex marriage.

[REDACTED] made her sizable contribution to the National Organization for Marriage's "Yes on 8" fund in June, a [REDACTED] review of campaign records found.

The Westchester County woman was one of tens of thousands who poured a total of more than \$83 million into the coffers of Proposition 8 support groups - money that helped convince California voters to overturn an earlier court decision granting gays the right to marry in the Golden State.

Questioned outside her home in [REDACTED] - the same town where [REDACTED] and [REDACTED] live - she refused to discuss her donation last night.

When asked how she could have donated money to fight gay marriage after making money from her depictions of gays, she just said, "So?"

"If you write that story, I'll sue you," she said.

On her Web site, [REDACTED] says gay parades are a "marvelous spectacle" and "assertion of solidarity."

"It is an erotic celebration loosed for a day to keep us all mindful that Dionysus is alive, powerful and under our own porch," said [REDACTED], a former art critic for the now-defunct [REDACTED]

Gay activists felt betrayed at word of [REDACTED] donation.

"If I were a buyer of her work, I wouldn't buy it anymore," said Charles Leslie, co-founder of Leslie/Lohman Gay Art Foundation in Manhattan.

Leslie stopped short of calling for a boycott of [REDACTED] work, but the threat of boycotts was part of the reason supporters of Proposition 8 asked a judge to keep secret the names of most donors.

The federal judge denied the request last Thursday.

With [REDACTED]

in [REDACTED].

[REDACTED]

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John Doe #29

Exhibit B

John Doe #29

Case 2:09-cv-00058-MCE-DAD Document 132-3 Filed 06/03/2009 Page 2 of 27

From: Mark Knowles <lilabner2@yahoo.com>

Date: February 3, 2009 12:33:52 PM EST

To: REDACTED

Subject: "So..?" That's the best you can do? That was Bush's response when asked about weapons of mass destruction

Thanks for trying to annul my marriage by supporting prop 8 with money you made from painting homosexuals. Guess you just think of gays as disposable "spectacles" for you to make money from. What a crappy person you are.

John Doe #29

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From: Tod Wohlfarth <tod@rockpaperpixel.com>

Date: February 3, 2009 12:30:17 PM EST

To: [REDACTED]

Subject: Very sad

The pain and suffering you have inflicted upon the gay community from your hypocritical stance on gay marriage is just atrocious.

You should be ashamed of yourself and your out and out abuse of the trust that the gay community placed in you. You should apologize for your actions and deceit. In addition, if you don't fully embrace our community, you should stop using us as your subject matter in this incredibly exploitative manner. You must realize that your actions are no different than an artist depicting the black community contributing to white supremacist organizations. It is NO different in our eyes. You may not agree, but your actions are a violence upon our community.

I wish you well and I hope that you find the peace within yourself to move forward in your life with love and not hate.

Tod Wohlfarth

Principal Designer

Rockpaperpixel

135 West 20th Street

Suite 204

NY, NY 10011

T 212.777.8949

F 646.290.9042

tod@rockpaperpixel.com

Check out our site at <http://www.rockpaperpixel.com>

John Doe #29

Case 2:09-cv-00058-MCE-DAD Document 132-3 Filed 06/03/2009 Page 4 of 27

From: Roman Feeser <romanfeeser@yahoo.com>

Date: February 3, 2009 12:10:41 PM EST

To: [REDACTED]

Subject: Shame on You!

As an artist you should know better.

How limited your work must be. I guess when you reach the ability to honor all of God's creation's as equals you then will reach your true potential.

Until then your work is fluff!

Good luck.

Roman Feeser

www.theplayabouthenry.com

<http://www.youtube.com/watch?v=HTU4SJ7bGBs>

John Doe #29

Case 2:09-cv-00058-MCE-DAD Document 132-3 Filed 06/03/2009 Page 5 of 27

From: Paul Regan <paulreganesq@hotmail.com>

Date: February 3, 2009 12:35:49 PM EST

To: REDACTED

Subject: REDACTED

Just another hateful fraudster that has no problem leeching off of a population as long as that population remains one rung below.

I for one was really never that impressed with your "work". I will bang some heads together to get these queens to boycott anything you have a hand in.

Paul Regan

John Doe #29

Case 2:09-cv-00058-MCE-DAD Document 132-3 Filed 06/03/2009 Page 6 of 27

From: Rutherford <rutherford_r@mac.com>

Date: Tue, Feb 3, 2009 at 12:19 PM

Subject: you disgust me

To: REDACTED

you're disgusting, i hope you never sell another "artwork". i certainly will do everything in my power to publicize your two-faced agenda.

John Doe #29

Case 2:09-cv-00058-MCE-DAD Document 132-3 Filed 06/03/2009 Page 7 of 27

From: <**wunderdogny@aol.com**>
Date: Tue, Feb 3, 2009 at 11:28 AM
Subject: your art
To: **REDACTED**

REDACTED

In light of the recent disclosure of your sizeable donation to Proposition 8 and your obvious desire to take away rights from gay and lesbian Americans, your work has become crystal clear to me and anyone who now views it. You are nothing more than a perpetuator of base stereotypes. In fact, you are guilty in the worst way.

Lautrec painted the Paris underworld because it was a world he inhabited, a world he knew and loved. You can see his genuine affection for the prostitutes and marginal characters so beautifully depicted in his work (not that I am comparing your work with that of such a legendary artist). You, on the other hand, paint of a world you obviously view with disdain and self-imagined superiority. I have to wonder if your work is meant to confirm the viewers' worst ideas about gay men. Your work reflects your view of the subjects as "objects" and "less than." Doesn't this at best diminish and at worst negate your work? You must have been thrilled with the passing of Proposition 8, since it furthers your wish for gays to be seen as second class citizens, objects meant for your amusement, modern day eunuchs, if you will.

You have done a great disservice to the gay and lesbian community and to our country. Years from now when amazed Americans express their horror at the way gays and lesbians were treated "all those years ago", just as we are now shamed and disgusted at how Jews and African Americans were treated fifty years ago, it is *you*, **REDACTED**, they will be referring to. You are the oppressor the history books will note. Therein lies your fame.

Shame on you for profiting off the very people you so mightily wish to keep down, American citizens whose rights you helped take away and whose discrimination you have bought and paid for. This will be your legacy and the context in which your body of work will be judged, if indeed you are lucky enough to have it remembered at all. What a pity.

Emphatically,
Alan Stephenson

Great Deals on Dell Laptops. Starting at \$499.

John Doe #29

Case 2:09-cv-00058-MCE-DAD Document 132-3 Filed 06/03/2009 Page 8 of 27

From: Mark <mark5e@bellsouth.net>

Date: Tue, Feb 3, 2009 at 1:05 PM

Subject: Donation to Yes on prop 8

To: [REDACTED]

[REDACTED],

Your donation to Yes on prop 8 purchased you a BOYCOTT from gays/lesbians and our friends.

YOU particularly offend me, since you profit from making images with gay themes, and selling them to MY community, well honey that gravey train left the station, go paint by and for BREEDERS! Maybe they need another LOSER to paint Mormon murals.

John Doe #29

Case 2:09-cv-00058-MCE-DAD Document 132-3 Filed 06/03/2009 Page 9 of 27

From: Brian Petty <brianepetty@hotmail.com>

Date: Tue, Feb 3, 2009 at 12:16 PM

Subject: REDACTED

To: REDACTED

REDACTED

Madam,

I was disgusted to see the following article in the REDACTED. The fact that you have, at least in part, made a living through your relationship with the GLBT community and then turned around and supported our oppression is inexcusable. (The fact that you also gave \$[REDACTED] on REDACTED to the reprehensible Swift Boat people is also reprehensible, but at least you don't have a whole collection of paintings of Senator Kerry to shill.)

Find some other minority community to exploit. I for one will have none of your work in my home, and will encourage my art collector/dealer friends to do likewise. I will also refuse to subscribe to any publication to which you contribute, and will refuse to patronize any gallery exhibiting your work. There are many other artists out there who are doing good work and who are not two-faced hypocrites. Perhaps instead you could sell your "work" to the Mormon church...

Know that I am not alone in this sentiment. And please do remember that the "assertion of solidarity" (your phrase) happening at gay pride parades has nothing whatsoever to do with the likes of you. You really do have very little of which to be proud.

Brian Petty.

REDACTED, REDACTED, made her sizable contribution to the National Organization for Marriage's "Yes on 8" fund in June, a REDACTED review of campaign records found. The REDACTED woman was one of tens of thousands who poured a total of more than \$83 million into the coffers of Proposition 8 support groups - money that helped convince California voters to overturn an earlier court decision granting gays the right to marry in the Golden State.

Questioned outside her home in REDACTED - the same town where REDACTED live - she refused to discuss her donation last night. When asked how she could have donated money to fight gay marriage after making money from her depictions of gays, she just said, "So? If you write that story, I'll sue you."

On her Web site, REDACTED says gay parades are a "marvelous spectacle" and "assertion of solidarity." "It is an erotic celebration loosed for a day to keep us all mindful that Dionysus is alive, powerful and under our own porch," said REDACTED, a former art critic

John Doe #29

Case 2:09-cv-00058-MCE-DAD Document 132-3 Filed 06/03/2009 Page 10 of 27

for the now-defunct **REDACTED**. Gay activists felt betrayed at word of **REDACTED** donation. "If I were a buyer of her work, I wouldn't buy it anymore," said Charles Leslie, co-founder of Leslie/Lohman Gay Art Foundation in Manhattan.

Windows Live™: E-mail. Chat. Share. Get more ways to connect. [See how it works.](#)

John Doe #29

Case 2:09-cv-00058-MCE-DAD Document 132-3 Filed 06/03/2009 Page 11 of 27

From: kw <kevinscribbles@gmail.com>

Date: Tue, Feb 3, 2009 at 11:08 AM

Subject: REDACTED, tsk tsk, using gays for your livelihood then fighting against their equality--

To: REDACTED

You're basically a vampire, disgusting old crone who uses people. You're a discredit to the human race and utterly nauseating in every way.

John Doe #29

Case 2:09-cv-00058-MCE-DAD Document 132-3 Filed 06/03/2009 Page 12 of 27

From: Matt Barolo <mbarolo@haring.com>

Date: Tue, Feb 3, 2009 at 12:15 PM

Subject: ?

To: [REDACTED]

Did you actually donate \$\$ to support Proposition 8?

I find that - um - deeply shocking.

If it is true - I hope you take a long look in the mirror and feel the hate that's looking back at you.

For shame.

For shame.

John Doe #29

Case 2:09-cv-00058-MCE-DAD Document 132-3 Filed 06/03/2009 Page 13 of 27

From: R Z <robert_zachary@hotmail.com>
Date: Tue, Feb 3, 2009 at 10:22 AM
Subject: You better explain QUICKLY
To: [REDACTED]

your decision to give money to Yes on Proposition 8. Because otherwise you better not ever show your face again at any gay gathering. Do you have any gay friends? How could you do this to them?

Robert

Windows Live™ Hotmail®:...more than just e-mail. **Check it out.**

Case 2:09-cv-00058-MCE-DAD Document 132-3 Filed 06/03/2009 Page 14 of 27 **John Doe #29**

From: James Anthony <jamesanthonyc@gmail.com>
Date: Tue, Feb 3, 2009 at 10:14 AM
Subject: Garbage.
To: [REDACTED]

BOOOOOOOOOOOOOOO! Bigot! Hypocrite! your work is garbage and should be defaced!

Love Always
James Anthony + David Lopez
Married 4 years
Northampton, MA

John Doe #29

Case 2:09-cv-00058-MCE-DAD Document 132-3 Filed 06/03/2009 Page 15 of 27

From: <dkershaw@optonline.net>

Date: Tue, Feb 3, 2009 at 9:20 AM

Subject:

To: REDACTED

You are an artist...a bullshit artist...And EXPLOITER a money hungry old hag...Signed Denise Kershaw

John Doe #29

Case 2:09-cv-00058-MCE-DAD Document 132-3 Filed 06/03/2009 Page 16 of 27

From: charley stark <mclean04@yahoo.com>

Date: Tue, Feb 3, 2009 at 1:12 PM

Subject: Gay Pride

To: [REDACTED]

Go to hell.

John Doe #29

Case 2:09-cv-00058-MCE-DAD Document 132-3 Filed 06/03/2009 Page 17 of 27

From: <gfarquhar@aol.com>

Date: Tue, Feb 3, 2009 at 11:17 AM

Subject:

To: [REDACTED]

[REDACTED] to prevent me from my pursuit of happiness?...

GARY FARQUHAR

Great Deals on Dell Laptops. Starting at \$499.

John Doe #29

Case 2:09-cv-00058-MCE-DAD Document 132-3 Filed 06/03/2009 Page 18 of 27

From: kenlindley@optonline.net

Date: February 3, 2009 1:20:41 PM EST

To: [REDACTED]

Subject: essay on hypocrisy and exploitation

Just read about your donation to the Yes on 8 campaign. Can't wait to read your essay exonerating yourself of hypocrisy and exploitation.

John Doe #29

Case 2:09-cv-00058-MCE-DAD Document 132-3 Filed 06/03/2009 Page 19 of 27

From: Chris Triebsch <ctriebsch@hotmail.com>

Date: Tue, Feb 3, 2009 at 1:24 PM

Subject: Shame on you

To: [REDACTED]

What kind of human being are you? The people in your work are human beings, not animals. And they should be treated as such.

Windows Live™ Hotmail®:...more than just e-mail. **Check it out.**

John Doe #29

Case 2:09-cv-00058-MCE-DAD Document 132-3 Filed 06/03/2009 Page 20 of 27

From: Erik <erikwm@gmail.com>

Date: Tue, Feb 3, 2009 at 1:28 PM

Subject: LOL

To: REDACTED

Saw you in the REDACTED ! Just wanted to say, you've taken stupidity to an artistic level.

If they gave out Darwin Awards for career suicide, you would so be getting one.

Nice job, idiot! LOL

John Doe #29

Case 2:09-cv-00058-MCE-DAD Document 132-3 Filed 06/03/2009 Page 21 of 27

From: Marc Lallanilla <marclallanilla@hotmail.com>

Date: February 3, 2009 2:27:36 PM EST

To: REDACTED

Subject: hi REDACTED

REDACTED: I was interested to read that you supported Prop. 8.

Can you explain your reason for denying gays and lesbians their basic civil rights? I'd hate to think it's because you're a bigot. You're not a bigot -- are you?

Marc Lallanilla

John Doe #29

Case 2:09-cv-00058-MCE-DAD Document 132-3 Filed 06/03/2009 Page 22 of 27

From: GREGORY TRUESDELL <gtruesdell@msn.com>

Date: February 3, 2009 2:14:03 PM EST

To: [REDACTED]

Subject: pro hate

giving to prop 8 was your choice burning your art work that i have aquired over the years is mine

John Doe #29

Case 2:09-cv-00058-MCE-DAD Document 132-3 Filed 06/03/2009 Page 23 of 27

From: SD HOUSECHICK <sdhousechick@yahoo.com>

Date: February 3, 2009 2:08:38 PM EST

To: REDACTED

Cc: REDACTED

Subject: Artist Starving days await you - thanks to your YesOnH8

Reply-To: sdhousechick@yahoo.com

With your YesOnH8 contribution, you have proven yourself to be a homophobe and user of people.

I will be using my extensive contact list (including the East Coast) to ensure people know about you so they don't purchase any of your "art".

Hope you have fun in your return to Artist Starving Days!

John Doe #29

Case 2:09-cv-00058-MCE-DAD Document 132-3 Filed 06/03/2009 Page 24 of 27

From: Grace Nye <grace.nye@gmail.com>

Date: February 3, 2009 2:03:56 PM EST

To: [REDACTED]

You're willing to appropriate gay imagery in your art, but you don't want to see them granted actual rights and dignity? That's fascinating. I sincerely hope that you have a long think about human rights, pray to God if you believe in one, and change your mind about this. But that seems unlikely, considering that you've been painting gay people for years and you still passionately believe that they should be denied the right to marry.

Therefore, I hope you never sell a picture again. Have fun suing the

[REDACTED]!

John Doe #29

Case 2:09-cv-00058-MCE-DAD Document 132-3 Filed 06/03/2009 Page 25 of 27

From: "Jack Gaffney" <jack@witmornyc.com>

Date: February 3, 2009 2:01:51 PM EST

To: [REDACTED]

Cc: [REDACTED]

Subject: You are a disgusting TURD of a woman to support the passage of PROP 8 - SHAME ON YOU

Jack Gaffney

President/C.E.O.

Witmor Worldwide Inc.

55 Bethune St. Ste. D905

New York, N.Y. 10014

212-645-3250/800-727-8898

917-609-3222 - emergencies and mobile

212-645-3280-fax

John Doe #29

Case 2:09-cv-00058-MCE-DAD Document 132-3 Filed 06/03/2009 Page 26 of 27

From: "Ira Schechtman" <ischechtman@taftjobs.com>

Date: February 3, 2009 5:20:37 PM EST

To: REDACTED

Subject: you are trash

Just a short email (I am straight by the way) to let you know that you are the lowest form of life. You state that "gays offer a "marvelous spectacle and their parades are an "assertion of solidarity". You then contributed money to an organization against gay marriage!!! You should be ashamed of yourself you piece of trash. I hope that the arthritis and glaucoma that is awaiting you will end your career. Please call me at the number below so that I can repeat myself.

Ira Schechtman

Taft Associates

130 E 40 St

suite 1005

NY,NY 10016

212-447-5200x211

ira@taftjobs.com

John Doe #29

Case 2:09-cv-00058-MCE-DAD Document 132-3 Filed 06/03/2009 Page 27 of 27

From: wes jackson <wesbjack@yahoo.com>

Date: Tue, Feb 3, 2009 at 8:46 PM

Subject: gallery

To: [REDACTED]

THANKS FOR THE PROP 8

[REDACTED] IS RIGHT.....WILL BE CONTACTING YOUR PEERS, GALLERIES, ETC.

Case 2:09-cv-00058-MCE-DAD Document 132-4 Filed 06/03/2009 Page 1 of 5 **John Doe #29**

Exhibit C

John Doe #29

Case 2:09-cv-00058-MCE-DAD Document 132-4 Filed 06/03/2009 Page 2 of 5

From: REDACTED**Date:** February 4, 2009 4:19:56 PM EST**To:** REDACTED**Subject: Re:** REDACTED

Thanks for clarifying the situation. I can see how it might irk some gay people that an artist relishes gay subjects in her paintings but supports a conservative position on marriage legislation. I'd take issue with the REDACTED on one item of their reportage, however, namely the question: "how she could have donated money to fight gay marriage after making money from her depictions of gays"? There are two implications here. That to paint a gay parade and oppose gay marriage is not compatible, and that REDACTED is indebted to gays and their causes because she likes to paint them. To the first proposition one simply need point out all the artist who painted nude women without supporting female emancipation. To the second, the key thing is that REDACTED paintings have whatever following they have because of their vision and their execution, not their subject. It would rather be like suggesting that a person who paints leopards is profiting off leopards and ought therefore not to support the skinning of leopards for fashion accessories or hearth rugs- again, hardly a consistent position, based as it is on a non sequitor.

Meanwhile, however, I'm very grateful to you for letting me know that, because we have stored in our archive previously published articles by the redoubtable REDACTED (who was a contributing editor for a while, but not for a couple of years now), the gay community will, at your instigation, be boycotting REDACTED. I might share this correspondence with readers in case some of my gay readers are not yet aware of the boycott. If I do, may I trouble you for your real name? You know ours, and we prefer to only use real names at artcritical.

Sincerely, REDACTED

REDACTED

Editor and Publisher, REDACTED

Art Critic/Contributing Editor, REDACTED

John Doe #29

Case 2:09-cv-00058-MCE-DAD Document 132-4 Filed 06/03/2009 Page 3 of 5

On Feb 4, 2009, at 12:15 PM, [REDACTED] wrote:

[REDACTED],

Thank you for your prompt response. I just wanted you to be aware that the Gay Community is looking at our adversaries and those who may support them. Please view at

[REDACTED]

Thank you again.

[REDACTED]

John Doe #29

Case 2:09-cv-00058-MCE-DAD Document 132-4 Filed 06/03/2009 Page 4 of 5

On 04 Feb 2009, at 14:08, **REDACTED** wrote:

Thanks for letting us know. Could you be more specific and point out some details that led to your decision? Is it something **REDACTED** has written here at **REDACTED**, for instance, or something she has done or said elsewhere?

BTW, good luck enforcing a GLBT boycott of a free art magazine.

REDACTED

REDACTED

Editor and Publisher, **REDACTED**

Art Critic/Contributing Editor, **REDACTED**

John Doe #29

Case 2:09-cv-00058-MCE-DAD Document 132-4 Filed 06/03/2009 Page 5 of 5

On Feb 4, 2009, at 1:10 AM, [REDACTED] wrote:

The GLBT community will be boycotting your organization for having an association with a person who endorses H8 and discrimination against us but has no conscious profiting off of us.

John Doe #30

Case 2:09-cv-00058-MCE-DAD Document 133 Filed 06/03/2009 Page 1 of 3

James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 1 South Sixth Street
 Terre Haute, IN 47807-3510
 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 Counsel for All Plaintiffs

Benjamin W. Bull (Ariz. State Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 15100 North 90th Street
 Scottsdale, Arizona 85260
 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 Counsel for All Plaintiffs

Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 Counsel for All Plaintiffs

* *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

**United States District Court
 Eastern District of California
 Sacramento Division**

<p>ProtectMarriage.com, et al., <i>Plaintiffs,</i> v. Debra Bowen, et al., <i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD DECLARATION OF [REDACTED] IN SUPPORT OF PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT Date: TBD Time: TBD. Judge England</p>
--	--

Declaration of [REDACTED] in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I donated \$**XX** in support of Proposition 8, and my name
6 was disclosed as a donor to Proposition 8.

7 4. I also supported Proposition 8 by walking the precincts in San Mateo and San
8 Francisco. I also worked phone banks.

9 5. Because of my support for Proposition 8, I have received numerous harassing and
10 threatening emails and inquiries at my website. True and correct copies of some of these emails
11 and inquiries are attached as Exhibit A. One email states: "I tolerate you because I don't come to
12 where you are and slaughter you. . . . I will actively pursue your financial ruin through legal
13 means." Another email states: "Your company is now on a list I am producing of those that will
14 be boycotted and shut down soon."

15 6. These incidents with the emails make me want to fight harder for causes similar to
16 Proposition 8. However, from this point forward, I will be very careful about what I do in
17 support of similar causes. I will try to donate anonymously, and I will not speak out publicly on
18 similar causes, because I would fear for the safety of my children if I did so.

19 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
20 AND CORRECT.

21
22 Executed on: **REDACTED**

REDACTED

REDACTED

23
24
25
26
27
28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #30 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

John Doe #30

Case 2:09-cv-00058-MCE-DAD Document 133-2 Filed 06/03/2009 Page 1 of 15

Exhibit A

From: <tomcogburn@earthlink.net>
Date: Friday, October 31, 2008 8:58 PM
To: [REDACTED]
Subject: Re: Your Support of Proposition 8

You seem to have gotten "tolerance" confused with "passivity". I tolerate you because I don't come to where you are and slaughter you. However, I will not remain passive--I will actively seek to undermine your future as a business owner. I tolerate your existence, but I will actively pursue your financial ruin through legal means. Do you see the difference?

> [Original Message]

[REDACTED]

> To: <tomcogburn@earthlink.net>
> Date: 10/31/2008 7:42:08 AM
> Subject: Re: Your Support of Proposition 8
>
> How tolerant of you.
>
> tomcogburn@earthlink.net wrote:
> >
> > I saw that your company supports proposition 8. Suffice it to say
> > that your \$[REDACTED] will cost you untold money in lost revenue. People like
> > me will actively seek to reduce your customer base because of your
> > decision to support a hateful and discriminatory proposition.
> >
> > Tom Cogburn, San Francisco

--

Internal Virus Database is out-of-date.

Checked by AVG Free Edition.

Version: 7.5.516 / Virus Database: 269.22.11/1368 - Release Date: 4/9/08 4:20 PM

John Doe #30

Date: Friday, November 07, 2008 2:22 AM
To: REDACTED
Subject: Inquiry from REDACTED Website

Values submitted from web site form:

recipient : REDACTED

Name :

Company :

Address :

City :

State :

Zip :

Phone :

email :

subject : REDACTED from Website

Comments : You should be ashamed of yourselves for supporting Proposition 8. I hope your company goes bankrupt.

submitButtonName : Submit

--

Internal Virus Database is out-of-date.

Checked by AVG Free Edition.

Version: 7.5.516 / Virus Database: 269.22.11/1368 - Release Date: 4/9/08 4:20 PM

Date: Monday, November 10, 2008 8:22 PM
To: [REDACTED]
Subject: Inquiry from [REDACTED]'s Website

Values submitted from web site form:

recipient : [REDACTED]

Name : Mark N Melanson

Company :

Address :

City : San Francisco

State : CA

Zip : 94102

Phone :

email :

subject : [REDACTED] from Website

Comments : This company gave \$\$ to the Yes on 8 ? DISGUSTING!

Once that word gets out I dont think you will have very much business in this area. Maybe you should move your company elsewhere.

submitButtonName : Submit Query

--

No virus found in this incoming message.

Checked by AVG Free Edition.

Version: 7.5.516 / Virus Database: 270.9.0/1776 - Release Date: 11/8/08 6:49 PM

From: <cameronscot@gmail.com>
Date: Thursday, November 13, 2008 2:57 PM
To: REDACTED
Subject: Inquiry from REDACTED Website

Values submitted from web site form:

recipient : REDACTED

Name : Cameron Scott

Company :

Address :

City : San Francisco

State : CA

Zip : 94110

Phone :

email : cameronscot@gmail.com

subject : REDACTED Inquiry from Website

Comments : Shame on you for contributing to Yes on 8. If you don't support gay rights, move your operations to the Central Valley. We are a big part of making this city great, and I guarantee you many of your employees and customers are members of the GLBT community.

submitButtonName : Submit Query

--

No virus found in this incoming message.

Checked by AVG Free Edition.

Version: 7.5.516 / Virus Database: 270.9.0/1776 - Release Date: 11/8/08 6:49 PM

From: <hgwm31@hotmail.com>
Date: Thursday, November 13, 2008 10:54 PM
To: REDACTED
Subject: Inquiry from V REDACTED Website

Values submitted from web site form:

recipient : REDACTED

Name : Mitch Bryan

Company : N/A

Address :

City : San Francisco

State : CA

Zip : 94117

Phone :

email : hgwm31@hotmail.com

subject : REDACTED Inquiry from Website

Comments : I was thoroughly disgusted when I saw that you donated money to the Yes on 8 campaign... you should be ashamed of yourself. Your company is now on a list I am producing of those that will be boycotted and shut down soon

submitButtonName : Submit Query

--

No virus found in this incoming message.

Checked by AVG Free Edition.

Version: 7.5.516 / Virus Database: 270.9.0/1776 - Release Date: 11/8/08 6:49 PM

John Doe #30
Page 1 of 1

Case 2:09-cv-00058-MCE-DAD Document 133-2 Filed 06/03/2009 Page 7 of 15

From: <pfogerty@comcast.net>
Date: Saturday, November 15, 2008 9:21 AM
To: REDACTED
Subject: Inquiry from REDACTED Website

Values submitted from web site form:

recipient : REDACTED

Name : Patrick Fogerty

Company :

Address :

City : San Francisco

State : CA

Zip : 94103

Phone :

email : pfogerty@comcast.net

subject : REDACTED Inquiry from Website

Comments : I just discovered that REDACTED contributed to the Yes on Proposition 8 campaign. I can't tell you how disappointed I was to discover that you sponsored a proposition that succeeded in doing nothing but deny basic human rights, engender hate, and promote discrimination.

Rest assured that I will ensure friends, family, and colleagues know of your sponsorship, and rest assured that we will never do business with REDACTED
submitButtonName : Submit Query

--

No virus found in this incoming message.

Checked by AVG Free Edition.

Version: 7.5.516 / Virus Database: 270.9.0/1776 - Release Date: 11/8/08 6:49 PM

John Doe #30
Page 8 of 15

From: <mikemcallister@mac.com>
Date: Saturday, November 15, 2008 9:44 AM
To: [REDACTED]
Subject: shame

Shame on you for supporting a proposition that stripped equal rights from some of your fellow Americans. You'll definitely never get any of my business, and I'm sharing this info with my friends and family.

Mike McAllister

--

No virus found in this incoming message.

Checked by AVG Free Edition.

Version: 7.5.516 / Virus Database: 270.9.0/1776 - Release Date: 11/8/08 6:49 PM

John Doe #30
Page 9 of 15

Date: Sunday, November 16, 2008 7:59 PM
To: [REDACTED]
Subject: Inquiry from [REDACTED] Website

Values submitted from web site form:

recipient : [REDACTED]

Name : San Franciscan

Company :

Address :

City : san francisco

State : ca

Zip : 94123

Phone :

email :

subject : [REDACTED] Inquiry from Website

Comments : Your contribution to yes on 8 has been noted, discrimination is not welcome in San Francisco or California for that matter. Your radical view to take rights away from human beings is the same reason we are fighting a war in Iraq against the Taliban who strips rights for human beings everyday.

submitButtonName : Submit Query

--

Internal Virus Database is out-of-date.

Checked by AVG Free Edition.

Version: 7.5.516 / Virus Database: 270.9.0/1776 - Release Date: 11/8/08 6:49 PM

John Doe #30
Page 1 of 1

Date: Monday, November 17, 2008 10:47 PM
To: REDACTED
Subject: Inquiry from REDACTED Website

Values submitted from web site form:

recipient : REDACTED
Name : Carlos
Company : Carlos
Address : 2222 oak
City : san francisco
State : ca
Zip : 94121
Phone :
email :
subject : REDACTED Inquiry from Website
Comments : shame on you
submitButtonName : Submit Query

--
Internal Virus Database is out-of-date.
Checked by AVG Free Edition.
Version: 7.5.516 / Virus Database: 270.9.0/1776 - Release Date: 11/8/08 6:49 PM

John Doe #30

From: "Jason Durant" <jasonjdurant@gmail.com>
Date: Wednesday, November 19, 2008 12:04 PM
To: REDACTED
Subject: Your Donation to Prop 8

Dear REDACTED, please know that the GLBT community, which is known throughout the world as a peaceful, loving and harmonious group, is no longer going to settle for being treated with contempt. While I will not use profanity to express my outrage, I will tell you this: your commitment to Proposition 8 is tantamount to hatred against millions of your taxpaying fellow citizens who are just trying to make it in the world. Your contribution makes it that much harder for us to do so. Finally, your dollars have sent a message to millions of born and unborn GLBT children who will one day have to continue this struggle: we don't care about you.

You will get money from the LGBT community to discriminate against us.

Jason Durant

Internal Virus Database is out-of-date.
Checked by AVG Free Edition.
Version: 7.5.516 / Virus Database: 270.9.0/1776 - Release Date: 11/8/08 6:49 PM

John Doe #30
Page 1 of 1

From: "e sf" <sashimily@hotmail.com>
Date: Wednesday, November 19, 2008 12:46 PM
To: REDACTED
Subject: Your Business

As a straight, well-educated native San Franciscan, I am horrified to see that you gave money to the Yes on 8 campaign. My disgust cannot be put into words. God will judge you, and do so harshly.

Get more done, have more fun, and stay more connected with Windows Mobile®. See how.

Internal Virus Database is out-of-date.

Checked by AVG Free Edition.

Version: 7.5.516 / Virus Database: 270.9.0/1776 - Release Date: 11/8/08 6:49 PM

John Doe #30
Page 1 of 1

Case 2:09-cv-00058-MCE-DAD Document 133-2 Filed 06/03/2009 Page 13 of 15

Date: Wednesday, November 19, 2008 3:07 PM
To: REDACTED
Subject: Inquiry from REDACTED Website

Values submitted from web site form:

recipient : REDACTED

Name : Eric Smith

Company :

Address :

City : San Francisco

State : CA

Zip : 94124

Phone :

email :

subject : REDACTED Inquiry from Website

Comments : We notice that you have donated to the Yes on 8 campaign. We will make sure that we do everything in our power to drive you out of business.

submitButtonName : Submit Query

--

Internal Virus Database is out-of-date.

Checked by AVG Free Edition.

Version: 7.5.516 / Virus Database: 270.9.0/1776 - Release Date: 11/8/08 6:49 PM

John Doe #30 of 1

Case 2:09-cv-00058-MCE-DAD Document 133-2 Filed 06/03/2009 Page 14 of 15

Date: Friday, December 05, 2008 11:33 AM
To: REDACTED
Subject: Inquiry from REDACTED Website

Values submitted from web site form:

recipient : REDACTED
Name :
Company :
Address :
City :
State :
Zip :
Phone :
email :
subject : REDACTED Inquiry from Website
Comments : under \"about us\" you forgot to include \"specializing in bigotry\"
submitButtonName : Submit

--
Internal Virus Database is out-of-date.
Checked by AVG Free Edition.
Version: 7.5.516 / Virus Database: 270.9.0/1776 - Release Date: 11/8/08 6:49 PM

John Doe #30
Page 1 of 1

From: "Andy Jolley" <andyjolley@yahoo.com>
Date: Tuesday, February 03, 2009 6:07 PM
To: [REDACTED]
Subject: Re: Shame on YOU H8-er!

Wow, you really don't get it.....Ignorance must be bliss, take care as the world has changed and you will sadly be left behind.

--- On Mon, 12/15/08, [REDACTED] wrote:

From: [REDACTED]
Subject: Re: Shame on YOU H8-er!
To: andyjolley@yahoo.com
Date: Monday, December 15, 2008, 5:39 AM

Proposition 8 has nothing to do with hate. It has to do with preserving the benefits of marriage for children, because the needs of children are best met by a mother and a father to which they are biologically related.

Those of you that are advocating for gay marriage want these benefits for yourselves. It is disgusting to me to see grown people clamoring to take for themselves benefits that are meant to be for innocent children.

It is you who should be ashamed.

Andy Jolley wrote:

There is no room for H8 in our city and you should be ashamed of yourself. It's one thing to exercise your right to vote, but it's an entirely different thing to give money to this hateful cause! NO MORE HIDING for YOU! SHAME ON YOU!

John Doe #31

Case 2:09-cv-00058-MCE-DAD Document 134 Filed 06/03/2009 Page 1 of 3

James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 1 South Sixth Street
 Terre Haute, IN 47807-3510
 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 Counsel for All Plaintiffs

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 ALLIANCE DEFENSE FUND
 15100 North 90th Street
 Scottsdale, Arizona 85260
 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 Counsel for All Plaintiffs

Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 Counsel for All Plaintiffs

* *Admitted Pro Hac Vice*

** *Designated Counsel for Service*

**United States District Court
 Eastern District of California**

ProtectMarriage.com, et al.,

Plaintiffs,

v.

Debra Bowen, et al.,

Defendants.

Case No. 2:09-CV-00058-MCE-DAD

**DECLARATION OF REDACTED
 IN SUPPORT OF
 PLAINTIFFS' MOTION FOR
 SUMMARY JUDGMENT**

Date: TBD

Time: TBD

Judge Morrison C. England, Jr.

Decl. of REDACTED in Support of Plaintiffs' Motion for Summary Judgment

John Doe #31

Case 2:09-cv-00058-MCE-DAD Document 134 Filed 06/03/2009 Page 2 of 3

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein are
3 based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I placed a sign in my front yard.

6 4. In support of Proposition 8, I also placed a bumper sticker on my vehicle.

7 5. During the two weeks leading up to the November 4, 2008, election, the sign was stolen
8 from my front yard on five separate occasions. Each theft occurred during the evening and I was
9 forced to replace the sign after each theft.

10 6. The bumper sticker on my vehicle was also defaced while the vehicle was parked in my
11 driveway. Someone had changed the "Yes on 8" to "No on 8." As a result, I was forced to replace the
12 bumper sticker.

13 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND
14 CORRECT.

15 Executed on: **REDACTED**

REDACTED

REDACTED

16
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28

Decl. of **REDACTED** in Support of Plaintiffs' Motion for Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #31 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
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I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
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